

# **Adequate Public Facilities Ordinances in Maryland**

## **2025 Report Review**

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Report  
prepared for the  
Maryland Department of Planning

**May 2025**

**National Center for Smart Growth  
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## Table of Contents

|  |           |
|--|-----------|
| <b>1. Executive Summary .....</b>  | <b>2</b>  |
| <b>2. APFO Overview and Maryland Inventory.....</b>                                | <b>3</b>  |
| 2.1. APFO Overview.....  | 3         |
| 2.2. Maryland Inventory .....  | 3         |
| <b>3. Literature Review .....</b>  | <b>8</b>  |
| 3.1. Supply- and Demand-Side Effects and APFO Predictions.....                     | 8         |
| 3.2. Findings on Housing Outcomes.....   | 9         |
| 3.3. Findings on Non-Housing Outcomes.....   | 16        |
| 3.4. Schools.....  | 17        |
| 3.5. APFO Design .....   | 21        |
| 3.6. Implementation .....  | 23        |
| 3.7. Conclusions.....  | 25        |
| <b>4. Best Practices.....</b>  | <b>25</b> |
| 4.1. Clarify the Purpose of APFOs and Reconsider Their Use if Necessary.....       | 25        |
| 4.2. Integration with Comprehensive Plan.....                                      | 27        |
| 4.3. Integration with Capital Improvements Programming and Plans.....              | 30        |
| 4.4. Tailored to Support Multimodal Transportation.....                            | 32        |
| 4.5. Collaborate to Update School Planning and Capacity Management .....           | 34        |
| 4.6. Develop a Variety of Alternatives to Adequacy .....                           | 36        |
| 4.7. Improve Adequacy Calculations and Provide Access to Adequacy Information..... | 37        |
| 4.8. Coordinate Within and Between Jurisdictions.....                              | 38        |
| 4.9. Align and Combine with Affordable Housing Initiatives.....                    | 40        |
| <b>References .....</b>  | <b>42</b> |
| <b>Appendices.....</b>   | <b>46</b> |

## 1. Executive Summary

Maryland's housing affordability crisis has been attributed to a housing supply shortage across all housing types, prompting a reevaluation of growth management policies that potentially constrain supply (Maryland Department of Housing and Community Development, 2024). One such policy that necessitates careful evaluation is the adequate public facilities ordinance (APFO)<sup>1</sup>. While intended to control the pace of growth to align with facility improvements, APFOs may also unintentionally constrain housing supply and impede the state's housing affordability goals.<sup>2</sup> This report aims to guide the State of Maryland and local jurisdictions in understanding APFOs' role within broader land use policies, their potential impact on housing, and recommendations for more optimal and effective implementation.

The report is organized into three major sections: (1) an overview and status update on APFOs in Maryland counties and municipalities, (2) a literature review on the relationship between APFOs and housing, and (3) best practices for jurisdictions considering or using APFOs. Two appendices follow, with Appendix A including tables on county APFOs in Maryland, and Appendix B including tables on municipal APFOs in Maryland.

Overall, APFOs are a popular tool among Maryland counties, and are growing in popularity in municipalities. Since 2012, no counties and few municipalities have removed their APFOs. The most popular facilities are schools, roads/transportation, water, sewer, and fire/EMS, with all counties having school and roads/transportation coverage. Since 2012, most jurisdictions have maintained or increased facility coverage, with a few exceptions. Testing often occurs during the preliminary plan stage and before preliminary plan approval, and robust exemptions lists are more common among counties than municipalities. Growing exemption lists may reflect a need for APFOs to be more flexible to meet housing demand.

The literature review covers five topics: (1) the predicted supply- and demand-side effects of APFOs on housing, (2) the main findings about the effects of APFOs on different housing outcomes, (3), the main findings about the effects of APFOs on different non-housing outcomes, (4) the relationship between APFOs and schools, and (5) the importance of the design, implementation, and policy environment of APFOs. Understanding the relationship between APFOs and housing is challenging. Most research focuses on growth management more broadly, making it difficult to isolate APFO-specific effects. Furthermore, housing prices are shaped by complex factors, including consumer demand, housing quality, amenities, income, commute times, and various other factors (Addison et al., 2013; Nelson et al., 2002; Waldorf et al., 2005; Xing et al., 2004). This makes it difficult for practitioners to know whether APFOs are responsible for a given change in housing prices. Finally, APFOs vary widely across and within states, which makes drawing comparisons across APFO research difficult (National Center for Smart Growth, 2006).

Nonetheless, the literature has provided a better understanding of how APFOs interact with the broader policy environment and housing market to produce certain housing conditions. Based

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<sup>1</sup> APFOs are also referred to as concurrency ordinances, such as in Florida

<sup>2</sup> APFOs can apply to residential, commercial, and other developments. This report will focus solely on residential developments.

on expected supply- and demand-side effects, we predicted that APFOs are expected to restrict housing supply, increase the cost of housing production, and increase housing prices. A review of literature found that APFOs have been found to have:

- a negative relationship with housing production;
- a positive relationship with housing prices;
- a mixed relationship with housing affordability;
- a mixed relationship with compact development; and
- potential contribution to social exclusion.

These relationships were largely driven by poor coordination with capital improvements programming, lengthy development processes, anticipated amenities increasing demand, the incentive to offset higher costs with increased density, and deflection of growth to less restrictive jurisdictions.<sup>3</sup> School capacity was found to be a major justification for adopting APFOs and a source of contention in implementation. However, the correlations between new development, enrollment growth, class size, and school quality deserves further scrutiny. Additionally, APFOs have been found to impede school desegregation efforts.

The major differences between APFOs are in their design, implementation, and policy environment, and these impact APFOs' housing effects. APFO design includes facilities covered, the timing of adequacy tests, exemptions, alternatives to adequacy, and levels of services (LOS). The literature suggests that APFOs should be designed to align with the comprehensive plan and other policy goals and offer flexibility and predictability for developers. Additionally, APFOs should not be used or analyzed in isolation, but rather jurisdictions should consider how they operate within the broader policy environment, such as affordable housing programs, comprehensive plans, and capital improvements programming.

Nine best practices are offered to jurisdictions to better craft their APFOs to align with other policy goals and example ordinances from Maryland counties and municipalities are included: (1) clarify the purpose of APFOs and reconsider their use if necessary, (2) integration with comprehensive plan, (3) integration with capital improvements programming, (4) tailored to support multimodal transportation, (5) collaborate to update school planning and capacity management, (6) develop a variety of alternatives to adequacy, (7) improve adequacy calculations and provide access to adequacy information, (8) coordinate within and between jurisdictions, and (9) align and combine with affordable housing initiatives.

## **2. APFO Overview and Maryland Inventory**

### **2.1. APFO Overview**

APFOs are a growth management policy that link development approval to the availability of facilities and infrastructure—such as schools, roads, and sewage (Anthony, 2006; Read, 2015; Strachan, 2001). Nationally, APFOs date back as far back as the late 1960s but largely grew during

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<sup>3</sup> Song (2007) measured “restrictiveness” through a combination of plan expenditures, number of goals and objectives in a comprehensive plan, number of land improvement standards, average impact fee cost, number of categories for impact fees, the length of time to receive development approval, and the implementation of Florida’s Growth Management Act—which includes a concurrency requirement.

the second wave of growth regulations during the 1980s and early 1990s (APFO Working Group, 2013; Anthony, 2017). This growth management wave is characterized by regulations whose primary goal was to maintain the quality of the urban and natural environments (Anthony, 2017). By hinging development approval on facility adequacy, APFOs serve primarily as a timing device rather than a mechanism to control the location or quality of development (National Center for Smart Growth, 2006; White and Paster, 2003). APFOs can also help planners and local officials identify facilities in need of more capital improvement spending, while also providing certainty and predictability to developers about the timing and phasing of development (National Center for Smart Growth, 2006; White and Paster, 2003).

Maryland municipalities and non-charter counties were given legal authority by the Maryland General Assembly to adopt APFOs in 1978, with courts upholding the right of jurisdiction to enact similar policies even before 1978 (Maryland Department of Planning, n.d.). For example, Montgomery County's first year of APFO is 1973 (National Center for Smart Growth, 2006). Growth management and Smart Growth legislation since the 1990s, such as the 1992 "Growth Act" and the 1997 "Smart Growth Areas Act", have supported the use of APFOs (Maryland Department of Planning, n.d.). For example, these acts have required local jurisdictions to include infrastructure-related visions in their comprehensive plans and adhere to these visions to receive state funding (APFO Workgroup, 2013; National Center for Smart Growth, 2003). In 2009, the state passed the Smart, Green, Growing Legislation, establishing 12 new visions for local jurisdictions to include in their comprehensive plans and implement through land use regulations (Maryland Department of Planning, n.d.). Five of these visions—growth areas, community design, infrastructure, transportation, economic development, and implementation—are relevant to APFOs (APFO Workgroup, 2013). Furthermore, this legislation requires local jurisdictions to submit a biennial report to the Maryland Department of Planning on whether an APFO produces development restrictions within a Priority Funding Area (PFA)—areas designated for urban growth (APFO Workgroup, 2013). Most recently, the Maryland General Assembly adopted the Sustainable Growth Planning Principles during the 2025 session, which replace the 12 visions with 8 principles, all of which, in some manner, inform or are informed by APFOs.

## 2.2. Maryland Inventory

As of 2025, over half of Maryland's counties (14 out of 24) and fewer than a quarter of Maryland's municipalities (34 out of 157) have implemented APFOs<sup>4</sup> (*Table 1*). Counties implementing APFOs were mostly those in the Washington, D.C. and Baltimore suburbs, though some notable outliers include Charles, Calvert, and St. Mary's counties in Southern Maryland and Queen Anne's and Caroline Counties on the Eastern Shore (*Figure 1*). Most municipalities with APFOs are in counties that also have them, with higher concentrations northwest of Washington, D.C. and northeast of Baltimore (*Figure 1*). While the number of counties with APFOs has remained unchanged since 2012, the number of municipalities with APFOs that identify review methodologies or specific level of service standards within their code has increased from 26 to 34.

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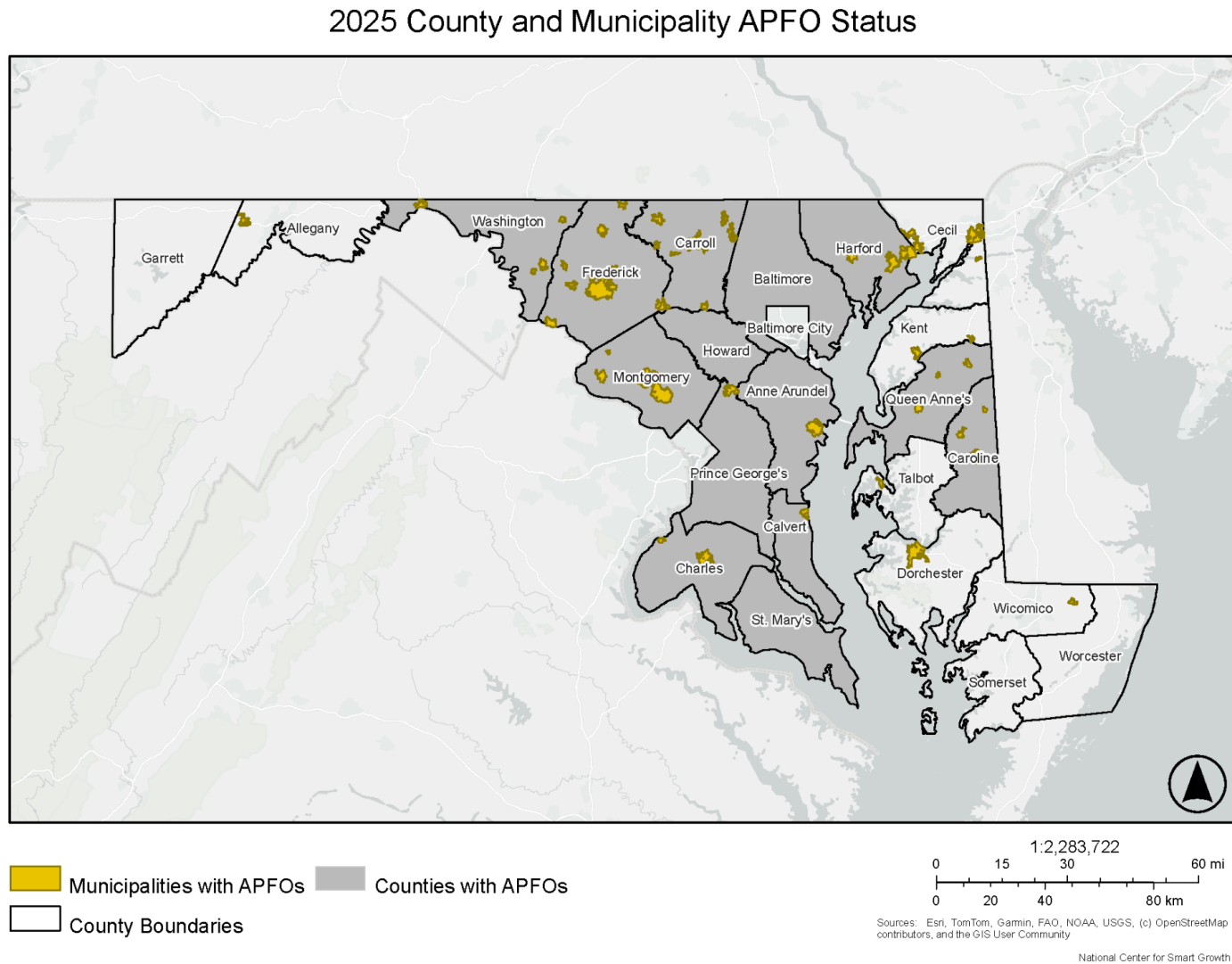
<sup>4</sup> Maryland has 23 counties along with Baltimore City, which is included as a county-equivalent.

Table 1: 2025 APFO Status Summary Table

| ADEQUATE PUBLIC FACILITIES ORDINANCES IN MARYLAND<br>Summary Table, 2025 |        |              |       |
|--|--------|--------------|-------|
| Category   | County | Municipality | Total |
| <b>Total</b>   | 24     | 157          | 181   |
| <b>APFO Present</b>  | 14     | 48*          | 62    |
| Facilities   | County | Municipality | Total |
| <b>Schools</b>   | 14     | 34           | 48    |
| <b>Roads/Transpo</b>   | 14     | 37           | 51    |
| <b>Water</b>   | 12     | 39           | 51    |
| <b>Sewer</b>   | 11     | 38           | 49    |
| <b>Stormwater Drainage</b>   | 6      | 17           | 23    |
| <b>Health Care</b>   | 1      | 5            | 6     |
| <b>Fire/EMS</b>  | 11     | 26           | 37    |
| <b>Police</b>  | 4      | 20           | 24    |
| <b>Solid Waste Disposal</b>  | 3      | 9            | 12    |
| <b>Parks and Rec</b>   | 3      | 8            | 11    |

*\*The municipal totals in Table 1 include municipalities who have not adopted review methodologies or specific level of standards in their code, but whose ordinances include general references to the need for adequate public facilities . This distinction is further highlighted in Appendix B*

Figure 1: 2025 County and Municipality APFO Status



The most commonly covered facilities in APFOs are schools, roads/transportation, water, sewer, and fire/EMS (*Table A3, Table B3*). All counties with APFOs include schools and roads/transportation; among municipalities, 71% include schools and 77% include roads/transportation. More than three-quarters of both counties and municipalities include water and sewer. Fire/EMS is covered by 79% of counties and 54% of municipalities. The least common facilities were health care, open space/recreation, and solid waste facilities, with less than a quarter of counties and municipalities including these facilities. Montgomery County remains the only county to include health care (Maryland Office of Planning, 1996). Stormwater drainage and police are also included to a lesser extent, with counties more likely to include stormwater (43% vs. 35%) and municipalities more likely to include police (42% vs. 29%).

All counties include at least four out of ten facilities, with Calvert, Harford, and Montgomery Counties including the most (seven facilities) and Charles and Frederick County including the least (four facilities). Municipalities vary more widely in facilities coverage: some include no specific facilities, while Union Bridge names all ten. Other municipalities with broad coverage (eight or more facilities) include Annapolis, Bel Air, Port Deposit, Ridgely, Sudlersville, Sykesville, Taneytown, and Westminster.

There have been notable changes in APFOs since 2012. Prince George's County removed water, sewer, and stormwater drainage requirements, while Calvert County added water, sewer, stormwater drainage, and fire/EMS requirements. Fire/EMS coverage among counties rose from 43% to 79%. Baltimore and Prince George's Counties are the first counties to include parks and recreation requirements. Much of the change among municipalities has been the growth in APFO adoption. Some municipalities have expanded coverage since 2012, with Aberdeen and Bel Air having notably added roads/transportation, water, and sewer requirements. With the exception of a few jurisdictions, most counties and municipalities with APFOs in 2012 have maintained or increased facilities coverage.

APFO tests most often occur during the preliminary plan stage and before preliminary plat, site plan, and subdivision approval (*Table A4, Table B4*). For many jurisdictions, APFOs are then tied to the subdivision approval process rather than their zoning or permitting process. In several counties and municipalities, APFOs are part of their subdivision regulations. This implies that many developments, such as commercial and residential not requiring subdivision, may be left out of the APFO process. This is supported by the fact that nonresidential and commercial developments were somewhat common exemptions among counties and municipalities (*Table A5, Table B5*). All counties except Caroline County have lists of exempted developments, and counties tend to have longer and more detailed lists than municipalities (*Table A5*). Several municipalities had no exempted developments (*Table B5*). In addition to those previously mentioned, other common exemptions include age-restricted housing, minor subdivisions, mixed-use developments, affordable housing or moderately priced dwelling units, and low-traffic subdivisions. Since 2012, exemptions have expanded, indicating growing flexibility in APFO policy.



### **3. Literature Review**

#### **3.1. Supply- and Demand-Side Effects and APFO Predictions**

APFOs influence housing through two main mechanisms: supply-side and demand-side effects. Supply-side effects relate to the supply of new and existing housing, such as land availability, housing construction, and permitting regulations. Demand-side effects relate to households' desire and ability to purchase (or rent) housing. To understand how APFOs affect housing, jurisdictions must look beyond housing outcomes and also consider the specific supply- and demand-side mechanisms involved. This requires analysis of APFOs within the unique market conditions of a given locality at a specific point in time. Doing so will allow jurisdictions to develop more targeted responses to adverse housing outcomes.

##### *3.1.1. Supply-side*

Through supply-side effects, APFOs are expected to reduce housing supply, raise production costs, and increase housing prices.

APFOs can restrict the amount of expected new housing supply in a few ways. APFOs can restrict the amount of developable land if public facilities are over capacity, placing moratoria on areas serviced by these facilities. Furthermore, APFOs introduce additional steps to the development approval process, increasing the time and effort required to receive development approval and potentially reducing the pace of development. With a reduction in new housing supply, there would be a backwards shift in the supply curve and an increase in housing prices (Anthony, 2006; Read, 2015). Housing prices for both existing and new housing would increase, “to the extent the former serves as a substitute for the latter” (Read, 2015, p. 149). Furthermore, restricting new housing supply can maintain high demand and costs for vacant units, as households are not moving into new housing units (LaBriola, 2023).

APFOs are expected to increase the cost of housing production, given the effort required to adhere to regulations, the payment of mitigation or improvement fees, and the cost of delayed construction. Higher production costs can further reduce housing supply if developers abandon projects or move to areas that are less restrictive (Song, 2007; Waldorf et al., 2005). Developers who do move forward with the project may directly pass on the costs to the consumers by raising housing prices or reorient their development toward larger, more up-scale housing (Anthony, 2006; Waldorf et al., 2005). These responses suggest that increased production costs could lead to increased housing prices. Alternatively, some developers may build at higher densities to offset costs, potentially creating more affordable units (Anthony, 2017). Developers may also absorb increased production costs if they anticipate future profits (Ben-Zadok, 2005).

##### *3.1.2. Demand-side*

To the extent that APFOs improve the quality of infrastructure and amenities in an area, APFOs will stimulate housing demand and inflate housing prices. Slowing down the pace of residential development can “[reduce] traffic congestion, [preserve] green space or [provide]

amenities valued by homebuyers” and make areas more desirable (Read, 2015, p. 149). Therefore, a reduction in supply can produce an increase in demand through improved living conditions. Second, the goal of APFOs to optimally utilize facilities may be an amenity in itself (Addison et al., 2013; Anthony, 2006; Ott and Read, 2006). By requiring facilities to meet a certain level of service (LOS) and utilizing developer payments to fund construction and improvement of facilities, communities with APFOs are likely to have a higher quality of facilities and amenities, potentially increasing demand and housing prices. However, demand-side inflationary effects might be more desirable than supply-side inflationary effects, as they “reflect tangible benefits accrued to consumers” (Anthony, 2017, p. 574).

High housing demand may also be a *cause* of the introduction of APFOs. Since APFOs are a policy meant to accommodate growth, growth management policies have been found to be adopted in areas with high growth or anxieties about growth (Kim et al., 2020; Landis, 2006).

Property tax rates can affect the spending habits of households, although the relationship between APFOs and property taxes is not straightforward. Many APFOs allow developers to pay their way through moratoria by funding facilities improvements and construction, reducing the need for local tax revenue. Local governments might respond by reducing property tax rates, and, as a result, households may then be more willing to spend more on housing (Landis, 2006; Molloy, 2020; Ott and Read, 2006). However, this outcome is dependent on household mobility, market competitiveness, and housing demand elasticity (Ott and Read, 2006).

### 3.2. Findings on Housing Outcomes

The first step to understanding the effect of APFOs on housing is determining which housing market outcomes are of interest. These outcomes are related and influence each other, but they are not interchangeable and can even appear contradictory. For example, research on impact fees has found that it can increase housing prices, have no effect on housing production, have mixed effects on housing affordability, and encourage multifamily housing (Addison et al., 2013; Hanak, 2008; Ott and Read, 2006). Considering housing outcomes separately will allow governments to better tailor their regulations to meet their housing goals and priorities<sup>5</sup>.

#### 3.2.1. *Housing Production*

APFOs *can* reduce housing production if poorly coordinated with capital improvement programs and if overly complicating the development process. Falling single-family housing starts in the Baltimore and Washington, D.C. suburbs have been attributed to the presence of “zoning, sewer capacity, and adequate public facility ordinances” (The National Center for Smart Growth, 2003, p. 20). This is in contrast to rising single-family housing starts nationally and in Virginia, which does not have APFOs (National Center for Smart Growth, 2003). The adverse impacts of APFOs on housing supply can be avoided through “conjunction with a sound and effective capital improvement plan” (National Center for Smart Growth, 2003, p. 7). Changes in APFO policies

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<sup>5</sup> Some research looked into APFO-like policies, such as environmental impact assessments (Volker et al., 2019) and water screening policies (Hanak, 2008), and was included given the similarities in mechanisms.

can also restrict housing production, as developers and governments have to adjust to new regulations. An APFO policy change regarding emergency response times in Prince George’s County resulted in the complete “shut down to residential subdivision review for more than eight months” (National Center for Smart Growth, 2006, p. 17). This supports the prediction that the effort required to adhere to APFO regulations is partially responsible for the restriction of housing supply.

APFOs likely restrict housing production by contributing to a restrictive policy environment and a lengthy development process. Restrictive policy environments—such as water screening policies, housing supply restrictions, and impact fees, have been found to reduce the production of housing, with some attributing this to regulatory uncertainty in development rather than actual costs (Hanak, 2008; Krimmel, 2021; Ott and Read, 2006; Xing et al., 2004)<sup>6</sup>. Long approval times have been found to have a significant and negative impact on housing production (Kim et al., 2020; Song, 2007; Xing et al., 2004). Whether APFOs contribute to restrictive policy environments or a lengthy development process is largely dependent on the design of the APFO and its coordination with capital improvements programs. For example, switching adequacy indicators can streamline the development process: switching from a LOS-based metric to a VMT-based metric in Los Angeles could have reduced the burden of the approval process and streamlined the review process for nearly 63% (40,000 housing units) of development projects over 16 years<sup>7</sup> (Volker et al., 2019). Additionally, poor linkages to capital improvement programs have resulted in APFOs being used to “justify building moratoria” (The National Center for Smart Growth, 2003, p. 25). For jurisdictions seeking to simplify and streamline the development process, adjusting adequacy indicators and improving coordination with capital improvements programming should be explored further.

Other studies have not found a conclusive relationship between APFOs and housing supply, with some finding a positive relationship. In California, studies have found no or even a positive relationship between APFOs and housing production (Jackson, 2016; Landis, 2006; Waldorf et al., 2005). National data from the largest Metropolitan Statistical Areas (MSAs) suggest that growth management tools have a marginally significant and marginally positive effect on housing starts (Xing et al., 2004). These findings suggest that state and local policy environments likely influence APFO outcomes.

### 3.2.2. *Housing Prices*

APFOs have been found to increase *existing* home prices, have a greater impact on prices than rents, and operate through both supply- and demand-side effects.

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<sup>6</sup> Water screening policies are those in areas with high rates of drought that measure the supply of water—rather than water infrastructure—to determine eligibility for development. Housing supply restrictions were defined by Krimmel (2021) as a combination of population controls, zoning controls—which APFOs fell under—, political controls, growth management plans, and other miscellaneous controls to measure housing supply restrictions.

<sup>7</sup> These metrics were not used as part of an APFO but rather for the California Environmental Quality Act (CEQA) which requires local governments to assess and mitigate the environmental impacts of certain developments. This review process can be long and costly similar to APFOs.

An APFO policy announcement in Cabarrus County, North Carolina was found to produce an immediate 2.3% (roughly \$4,350) increase in *existing* single-family home prices before facilities improvements occurred (Read, 2015). This increase in prices was attributed to both supply constraints (reductions of new housing availability) and demand expectations (anticipated amenities). Additionally, the authors point to the rise in existing housing prices as a potential reason why existing homeowners in a community support APFOs (Read, 2015). Finally, existing home prices were found to decrease in distance from the Central Business District (CBD) while new home prices did not. This suggests the growth of new employment centers outside of the CBD, potentially in response to constricted growth in the CBD. In Maryland, rising single-family housing prices in counties like Harford, Howard, and Montgomery occurred alongside falling single-family housing starts and an abundance of land in the same areas (National Center for Smart Growth, 2003). While APFOs likely contributed to reduced housing supply in these counties, national increases in housing prices since the 1990s make it difficult to determine how much of the increase in housing prices is attributable to growth management and APFOs (National Center for Smart Growth, 2003).

Further studies on growth management policies as a whole support APFOs' positive effect on housing prices. Florida's Growth Management Act led to a statistically significant increase in the price of single-family homes, while an increase in a growth management tools index in cities across the country was associated with increase in home prices (Anthony, 2006; Xing et al., 2004)<sup>8</sup>. In the latter example, these increases were 5% for home prices and 3% for rents, suggesting that homebuyers may be more affected by APFOs than renters (Xing et al., 2004). In these two studies, increases in prices were attributed to amenity and anticipated amenity effects, with an increase in housing prices paired with no reductions in housing supply (Anthony, 2006; Xing et al., 2004). Therefore, consumers were able and willing to pay higher home prices for anticipated amenities, opening up the opportunity for home prices to increase amidst sustained housing production. Other growth management studies have supported the expected supply-side effects of APFOs on housing prices. Housing supply restrictions in financially "constrained" California localities have been found to result in a 7% increase in housing prices (Krimmel, 2021)<sup>9</sup>. In this case, localities used the inflationary effects of supply restrictions on the price of existing homes to substitute for other means of increasing revenue.

Finally, other studies into levels of regulation, impact fees, and development delays further support the likelihood of APFOs to increase housing prices. Housing supply regulations have been shown to be correlated with increased home values, likely through a regulatory cost effect, meaning the effort and time required to adhere to regulations can increase housing prices (Molloy, 2020). Impact fees have been consistently shown to increase both new and existing housing prices, though dependent upon the state of the housing market and whether developers pass on this cost

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<sup>8</sup> Florida's GMA included a requirement for concurrency, and the growth management tools index included consideration of APFOs.

<sup>9</sup> Housing supply restrictions included zoning controls, such as APFOs. "Constrained" localities were those that lost control over property taxation following the 1973 school finance equalization policy in California.

to consumers (Ott and Read, 2006). Finally, development delays have been found to increase housing prices. The cost of delay in receiving development approvals in Florida was found to “represent between 13 percent and 26 percent of the final home price” (Song, 2007, p. 166). APFOs that create complex, lengthy, and restrictive development processes may then drive up housing prices even if construction continues.

The effects of APFOs on housing prices often emerge quickly, driven by expectations of development or amenity improvements (Anthony, 2006; Read, 2015). However, it is less clear whether these effects persist over time. The effects of Florida’s GMA on single-family home prices persisted over 10 years, while the effects of California’s school financing equalization policy on housing supply restriction persisted over 20 years (Anthony, 2006; Krimmel, 2021). On the other hand, the effect of water screening policies on home construction in California diminished after 9 years (Hanak, 2008). While these findings are mixed, they nonetheless suggest the need for jurisdictions to plan for both short- and long-term outcomes and to remain flexible as outcomes evolve.

### 3.2.3. *Housing Affordability*

Housing affordability is crucial, as it can impact the inclusion or exclusion of households in a community, specifically low- and middle-income households (Pendall, 2000). However, the relationship between housing affordability and APFOs is ambiguous and unclear.

Nationally, APFOs show no significant correlation with the percentage of affordable rental units within the housing stock, though there is a modest positive correlation with the percentage of multi-family housing units (Pendall, 2000). In Montgomery County, a substantial number of affordable housing units have been built since 1974 under their Moderately Priced Dwelling Units (MDPU) program, though tapering down leading up to the 2000s (Carlson and Mathur, 2003). Despite this decrease, the percentage of households paying more than 30% of their income for housing between 1990 and 2000 remained stable or slightly improved across tenure types, with disparities across income groups (Carlson and Mathur, 2003). Therefore, Montgomery County’s APFO did not hinder the construction of affordable housing, and so housing affordability may be more dependent on robust affordable housing programs rather than the presence or lack of APFOs. In contrast, Florida’s GMA negatively affected affordability, which was attributed to rapid population growth and decreasing supply (Anthony, 2003). Overall, APFOs appear to have neutral or minimal effects on affordability, with stronger predictors being market dynamics, affordable housing programs, inclusionary zoning, and density requirements (Anthony, 2003; Nelson et al., 2002; Pendall, 2000). This aligns with the fact that APFOs do not directly address affordable housing.

Given the earlier finding that APFOs are likely to increase housing prices, their limited effect on housing affordability can be explained by several factors. First, APFOs typically have a stronger impact on housing *prices* than *rent*, while affordable housing initiatives often focus on rental units. Additionally, jurisdictions like Montgomery County show that it is possible to both build affordable housing and have high median household prices. Finally, as discussed further in

the “Income” section below, APFOs can trigger the in-migration of higher income households. Therefore, even with rising housing prices, newcomers may have sufficient income to avoid increased cost burdens. However, when affordable housing policies fall short of demand and zoning restricts development to low-density housing, APFOs can contribute to a reduction in affordable housing supply (Anthony, 2003, 2006; Pendall, 2000). This happens through slowed housing growth, fewer multi-family units, and limited rental options. (Pendall, 2000).

#### 3.2.4. *Housing Types and Development Patterns*

One strategy for achieving affordability and social inclusion goals is encouraging a diversity of housing types, as multi-family units are more likely to be available for renter, low-income, Black, and Hispanic households (Pendall, 2000). Therefore, jurisdictions should not only look at the *quantity* of housing units but also the *types* of housing units provided under APFOs. Additionally, examining development patterns can be used to measure the effectiveness of APFOs in discouraging sprawl (Kim et al., 2020). There is some evidence to suggest that APFOs can encourage more multi-family developments, while the evidence is mixed regarding their role in encouraging compact development.

Across major metro areas, APFOs were marginally associated with more multi-family housing (Pendall, 2000). A higher growth management tools index has also been found to have a positive and slightly significant relationship with multi-family housing starts (Xing et al., 2004). A possible explanation for this is that developers may increase density to offset higher costs from APFO requirements, seeing a greater chance to increase their return on investment on the same area of land.

Some literature supports the idea that APFOs promote higher density, compact development and have little to no effect on pushing development out of jurisdictions (Ewing et al., 2022; Landis, 2006; Waldorf et al., 2005). For example, housing starts did not differ significantly between Maryland and Virginia, suggesting no spillover effects (National Center for Smart Growth, 2006). High demand and a high potential for returns may counterbalance the burdens imposed by APFOs and encourage development in built-out areas.

However, other studies show that APFOs can displace development away from regulated areas, which may be an issue if jurisdictions want to target growth toward these same areas. In Maryland, APFOs deflected growth toward less developed, rural areas that had not been designated for growth by the PFA program (National Center for Smart Growth, 2006). In Harford, Howard, and Montgomery counties, 10% of expected new home construction within PFAs was found to be deflected by APFOs (National Center for Smart Growth, 2006). In Florida, construction shifted toward counties with less restrictive implementation of the GMA (Song, 2007). Finally, in Cabarrus County, new home prices remained stable with growing distance from the CBD following an APFO policy announcement, suggesting the growth of new employment centers away from traditional CBDs (Read, 2015). These findings highlight a tension between the goal of APFOs and other growth management policies: by requiring facility and infrastructure capacity, APFOs can inadvertently encourage sprawl by making it easier to build in fringe areas with excess

capacity. As development continues on the fringes, new employment centers are created. Thus, there is a need to coordinate the location of APFOs with areas that are targeted for growth, to ensure consistency in both design and implementation of APFOs across jurisdictions, and to find opportunities for flexibility in an effort to contain development.

### 3.2.5. *Job Growth and Housing-to-Jobs Ratios*

As population growth is often tied to job growth, it is worth examining the impact of APFOs on the labor market and the housing-to-jobs ratio. From one perspective, restricting job growth could reflect success in managing growth. From another, curbed job growth may reflect missed economic opportunities. The most “desirable” outcome may then be maintaining *high* job growth and *low* housing supply. This allows for economic opportunities while still limiting development to maintain facility adequacy. However, from a housing affordability perspective, a low housing-to-jobs ratio may be problematic, reflecting rising prices and insufficient housing.

It is unclear whether APFOs accommodate or restrict housing demand. Low housing-to-jobs ratios in Baltimore and Washington counties were attributed to APFOs (National Center for Smart Growth, 2003). However, housing-to-jobs ratios between Maryland and Virginia did not differ significantly, suggesting that differences in housing markets and regulations *within* Maryland rather than *between* states were the cause of low housing-to-jobs ratios. In California, cities with APFOs were better able to build housing in response to demand compared to peer cities without APFOs (Landis, 2006). Therefore, jurisdictions with APFOs *can* build appropriate supply in response to demand, as long as facility and infrastructure improvements are properly funded and proactive. Jurisdictions should include demand-side metrics in housing assessments, as policies that “do not constrain housing production below the level required to meet a community’s share of regional housing demand... are not principally responsible for high housing prices and rents.” (Landis, 2006, p. 425). APFOs may yield better outcomes when they are able to accommodate demand, but this goal may conflict with the core goal of APFOs to slow down growth.

### 3.2.6. *Housing Vacancies*

Housing vacancies may suggest a mismatch between housing supply and demand and can be a useful metric to understand whether APFOs are adversely affecting the housing market (National Center for Smart Growth, 2003). High vacancies can indicate poor amenities or high costs, while low vacancies can indicate a tightening housing market.

From 1990 and 2000, vacancy rates declined in Maryland overall, especially in Montgomery and Howard counties (National Center for Smart Growth, 2003). However, they rose in some jurisdictions, most notably in Baltimore City (National Center for Smart Growth, 2003). Vacancy declines in the suburbs point to a strong, yet tightening, housing market in counties with APFOs (National Center for Smart Growth, 2003). While reductions in vacancy are generally positive outcomes, several of these counties reached vacancy rates below 5%, indicating

insufficient housing supply. These shortages have been partially attributed to APFOs, which may limit construction amidst high demand (National Center for Smart Growth, 2003).

### 3.2.7. *Property Taxes*

Growth management policies, including APFOs, can influence property taxes by shifting infrastructure costs to developers through impact fees and mitigation requirements (Landis, 2006; Molloy, 2020; Ott and Read, 2006). Additionally, communities who are unable to control property tax rates or raise sufficient revenue through taxes may adopt additional land use regulations and housing supply restrictions—such as APFOs—as a revenue substitute (Krimmel, 2021). Finally, property taxes can impact affordability and accessibility; property taxes can serve as an “access fee” for families to live in certain neighborhoods and allow their children to attend certain schools (Krimmel, 2021).

In California, cities with APFOs had higher per capita property tax revenue compared to cities with other growth regulation policies (Landis, 2006). However, this increase in tax revenue was mostly attributed to increased property values and better public amenities, rather than changes in tax rates (Landis, 2006). APFOs then do not reduce the overall tax revenue, and jurisdictions may not treat them as a sufficient substitute for tax revenue. Furthermore, a rise in property values following APFO implementation may cancel out reductions in property tax rates. Another study in California found that wealthier localities responded to property tax limits by switching “from price controls (property taxation) to quantity controls (land use restrictions)” to maintain school quality (Krimmel, 2021, p. 31). In this case, growth management *did* serve as a substitute for tax revenue. Therefore, APFOs and growth management policies are more likely to serve as a substitute for tax revenue when jurisdictions are facing fiscal constraints or strong pressure to maintain service levels without raising tax rates.

### 3.2.8. *Land Values*

APFOs can have conflicting impacts on land values. Regulatory delays may suppress land values, while anticipated amenity improvements may boost them (Ben-Zadok, 2005; Ott and Read, 2006; Molloy, 2020). Shifts in land values can subsequently affect the volume and pace of residential development (Ben-Zadok, 2005). This may be more of an issue in jurisdictions with a significant amount of undeveloped land. None of the studies examined the effect of growth management policies or APFOs on land values.

### 3.2.9. *Housing Quality*

Housing quality matters, especially for low-income households with limited choice. Affordable housing statistics can be misleading if quality is poor and units fail to meet residents’ needs. None of the studies examined the effect of growth management or APFOs on housing quality, and there is a near lack of consideration in the growth management literature (Molloy, 2020).



### 3.3. Findings on Non-Housing Outcomes

#### 3.3.1. *Social Exclusion*

The housing outcomes discussed above can in-turn affect the demographics of a community, particularly in terms of socioeconomic status, race, and ethnicity. For example, higher housing costs and reduced affordable housing options can have negative effects for low- and middle-income households: those wanting to purchase a home may be forced to continue renting (Anthony, 2017); they may have to substitute increased costs for a smaller space (Anthony, 2017); and they may move to less restrictive and cheaper areas, potentially increasing commuting costs to job centers (Carlson and Mathur, 2003; Kim et al., 2020). All together, these conditions make it increasingly more difficult for “outsiders—particularly those who cannot financially compete in constrained rental and housing markets—to move into cities” (LaBriola, 2023, p. 198). While these burdens fall on lower-income renters and potential homebuyers, existing homeowners often benefit from rising property values, creating an imbalance that “questions the fairness of [APFOs]” (Ott and Read, 2006, p. 25; Read, 2015).

There is evidence that social exclusion may result from and motivate APFOs. In California, jurisdictions that adopted housing supply restrictions experienced a subsequent decrease in the share of Black and Hispanic residents (Krimmel, 2021). Additionally, cities with a lower percentage of Black residents, higher rates of homeownership, and growth in foreign-born population were *more* likely to adopt anti-sprawl regulations, which APFOs fell under (LaBriola, 2023). Importantly, anti-sprawl regulations were not significantly correlated with the percentage of White residents, indicating that the “desire to exclude Black residents from cities may not exclusively be driven by White residents” (LaBriola, 2023, p. 196). Some studies have also linked APFO adoption to resistance against school desegregation efforts (Bierbaum and Sunderman, 2021; Krimmel, 2021). These findings will be explored in more detail in the “School” section below. To understand the potential for social exclusion to motivate and result from APFOs, jurisdictions may consider looking at social demographic variables of support and opposition to APFOs, those attending meetings regarding APFOs, and of neighborhoods where APFOs are being “triggered” compared to those where APFOs have not halted growth.

However, one study found APFOs did *not* have a statistically significant relationship between the percentage of Black or Hispanic residents in the largest metro areas in the country (Pendall, 2000). As discussed earlier, the presence of inclusionary zoning and affordable housing programs may play a more decisive role in shaping affordability and social inclusion than compared to APFO absence or presence.

#### 3.3.2. *Livability*

One underexplored effect of APFOs is the potential for livability benefits (National Center for Smart Growth, 2006; Nelson et al., 2002). These include improved and sustained facility quality, improved environmental conditions, lower transportation costs, and improved health outcomes (Nelson et al., 2002). These benefits contribute toward the overall well-being of a community and can impact housing demand. Furthermore, being able to identify and quantify

livability benefits may help jurisdictions market and maintain support for APFOs and other growth management policies. Since APFOs do not directly address facility quality, there is little known about the livability benefits of these policies. However, the direction of causality is difficult to establish. For example, is the APFO creating high-quality schools, or are areas with high-quality schools implementing APFOs?

### 3.3.3. *Income*

Income is another non-housing outcome to consider in evaluating APFOs. When a community implements growth management policies—including APFOs—, this can signal “expectations about future urban growth” and attract higher-income households to a community (Nelson et al., 2002, p. 15; Xing et al., 2004). Expectations of future returns and demographics then shape housing demand and pricing (Xing et al., 2004). Income levels have been found to be a strong, positive predictor of both housing prices and rents (Xing et al., 2004). Jurisdictions implementing APFOs should look at changes in incomes within their communities, and whether these changes are driven by migration of higher-income households or rising incomes among existing residents. Either explanation has different implications for equity, displacement, and affordability.

### 3.4. *Schools*

Public schools and housing are strongly tied to each other through school funding mechanisms, changes in school capacity, the relationship between school quality and housing demand, and the drawing of school district and attendance boundaries. APFOs seek to maintain adequate schools by approving new residential developments in district or attendance zones in which schools are at or under a determined percentage of capacity. In Maryland, state-rated capacity is the maximum number of students a school can enroll based on “multiplying the number of classrooms in each grade by a State approved capacity for each classroom” (Maryland Department of Planning, n.d., p. 15). Allowed capacity percentages vary according to the school type (elementary, middle, or high school) and the jurisdiction. For example, adequate capacity percentages in Maryland counties range from 90% of state-rated capacity for elementary schools in Washington County to 116% of state-rated capacity for high schools in St. Mary’s County (*Table A6*). If schools are found to be inadequate, APFOs often allow for developers to directly fund school construction and improvement projects.

#### 3.4.1. *School Funding, Quality, and Capacity*

Schools are often one of the most costly expenditures for state and local governments, covering the planning, construction, and maintenance of school facilities (Ben-Zadok, 2005; Ewing et al., 2022). School funding is often tied to home prices and property taxes, and school quality is highly dependent on funding. As a result, neighborhoods with higher home prices and consistent local funding through tax revenues tend to have better quality schools (Savageua, 2023). In this way, property taxes and housing prices can serve as an “access fee,” pricing families into

or out of quality school zones (Krimmel, 2021). School quality in turn is a major driver of housing demand. Households with children are often willing to “pay a premium” to provide their children with better educational opportunities (Savageau, 2023). Even childless households may be drawn to neighborhoods with high-quality schools due to associated benefits like lower crime rates among teenagers and adults (Savageau, 2023). Therefore, the relationship between housing prices and school quality is cyclical: high home prices and high property tax revenue contribute to better quality schools, better quality schools increase demand for housing, and an increased demand for housing can increase housing prices.

Class sizes may also be a determinant of school quality. Parents, teachers, and education researchers have increasingly pointed to increased class sizes as potential causes of decreased student achievement and teacher satisfaction (Chingos & Whitehurst, 2011). However, research offers mixed evidence on this point. Some studies have found a negative relationship between class size and student achievement—although these studies differ significantly—, while others have found minimal to no relationship (Chingos & Whitehurst, 2011). Efforts to improve teacher quality over class reduction may be more beneficial for student achievement and more cost effective (Chingos & Whitehurst, 2011). Still, larger class sizes may have a significant impact on teacher satisfaction and burn-out (Flannery, 2023). With a national teacher shortage, teachers are feeling the pressures of increased class sizes and individualized academic and mental-health needs of students (Flannery, 2023). Those who believe that class size impacts school quality may therefore want to curb population growth in school districts and areas that are near, at, or over capacity.

As a result of these mechanisms, jurisdictions may be motivated to adopt APFOs to manage school attendance, keep class sizes small, and improve or maintain school quality. The debate about class sizes in particular may explain the heightened involvement by concerned parents in issues that affect growth and development in their communities. However, APFOs can contribute to exclusionary dynamics. For example, a jurisdiction with high-quality schools may adopt an APFO with a low capacity threshold (e.g., 90%), have no immediate plans to increase capacity through construction or improvements, and make future residential development incredibly challenging. The reduced housing supply and maintained quality of the schools would both contribute to high housing prices, excluding low- and moderate-income families from accessing these schools. Therefore, adverse outcomes are most likely when school LOS are inflexible; when there is poor communication and coordination between planners, school districts, and capital improvements programs; and when there is a lack of affordable housing provision. In Maryland, it is school adequacy requirements that has “caused most moratoria in growth areas” (National Center for Smart Growth, 2006, p. 12). To avoid these outcomes, jurisdictions should allow for more flexibility for developers in their school LOS, improve coordination with school districts and capital improvements programs to align school infrastructure and funding with population growth and housing demand, and combine APFOs with efforts to increase affordable housing through zoning and policy initiatives. To address the specific issue of class sizes, APFOs could be tailored to address class *sizes* rather than *school capacity*. Jurisdictions should also consider the ambiguous relationship between class size and academic achievement and open up dialogue with families

about the high costs and limited academic gains associated with reducing class sizes (Chingos & Whitehurst, 2011).

#### 3.4.2. *Enrollment Trends and Misconceptions*

As described above, a common justification for APFO adoption is that rising school enrollment is driven by new development. However, in Montgomery County, “the majority of school enrollment growth [is] coming from resident turnover in existing single-family neighborhoods” (Montgomery Planning, 2021, p. 2). Furthermore, of the new development driving enrollment growth, much of it was coming from single-family units: new multi-family units were only responsible for less than 5% of enrollment growth, while new single-family units were responsible for 19.1% of enrollment growth (Montgomery Planning, 2021). This makes policies like moratoria and APFOs targeted toward multi-family development ineffective at solving school enrollment and capacity issues (Montgomery Planning, 2021). As a result of this finding, Montgomery County has removed school capacity requirements for development approval, and has instead opted for a payment plan option to “supplement funding for school capacity projects” (Montgomery Planning, 2021, p. 2). Other jurisdictions should conduct similar analyses to determine the share of enrollment growth being driven by resident turnover, new single-family units, and new multi-family units.

Additionally, school enrollment post-COVID has fluctuated. Statewide school enrollment dropped significantly in 2020, though changes in enrollment varied widely across different counties (Maryland Department of Planning, 2021). As schools opened up to in-person instruction, enrollment spiked post-COVID and is projected to level out through 2030 (Maryland Department of Planning, 2021). Increases post-COVID are also more pronounced at the middle and high school levels, driven largely by growth in the Hispanic student population (*Digest State Dashboard*, 2022; Maryland Department of Planning, 2021). Recent perceptions of increased enrollment are likely still impacted by this post-COVID spike, and efforts should be made to relay detailed, disaggregated enrollment trend data to communities. Additionally, care should be taken to address concerns about enrollment growth that are driven by the *composition* of new students, especially in areas with growing Hispanic populations.

#### 3.4.3. *Boundaries and Segregation*

School district boundaries and attendance zones can mirror and reinforce racial and economic segregation in neighborhoods. School district lines are responsible for roughly “60 percent of segregation in schools”, and in some areas, *within* district segregation is more of an issue than *between* district segregation (*5 Policy Solutions to End School Segregation*, 2015). APFOs with school capacity requirements have major implications for school composition. The reliance upon APFOs’ “technocratic calculations” of school capacity made it a poor tool to promote school desegregation in Howard and Baltimore counties and made it susceptible to manipulation by residents to avoid school rezoning (Bierbaum and Sunderman, 2021). In Howard County, stricter school capacity tests made it harder to develop housing for low- and middle-

income households, undermining school integration efforts (Bierbaum and Sunderman, 2021). APFOs became a “key weapon in the fight against school rezoning,” shielding certain schools from demographic changes (Bierbaum and Sunderman, 2021, p. 24). These issues were heightened by the lack of coordination between the planning offices and school district administrators, as neither individually or together worked to achieve school desegregation (Bierbaum and Sunderman, 2021). In California, the inability to adjust education funding through tax revenue made wealthier localities focus more on the quantity and characteristics of future neighbors and students, incentivizing these localities to “prevent new families from moving in” (Krimmel, 2021, p. 3). APFOs have a high potential of being used to maintain school quality and exclude potential families from attending these schools. As a result, APFOs may contribute to a focus on capacity over desegregation, increase scrutiny of the *composition* of new residents, and conceal necessary changes in school districting and boundary designations. These findings also highlight how communication and coordination between planning offices and school officials is critical to achieving equitable housing and education outcomes. Jurisdictions should coordinate more with school officials, consider school redistricting and boundary alternatives, and include demographic analyses along with capacity analyses for schools.

#### 3.4.4. *Policy Challenges to Solving Capacity*

None of the potential solutions to solving school capacity issues are particularly appealing. Temporary or relocatable classrooms are quick and inexpensive, but are criticized for poor environmental conditions (Bierbaum and Sunderman, 2021; National Center for Smart Growth, 2006; Young, 2014). New school construction or an addition to an existing school is slow and costly (Read, 2015). Finding staff to fill these new classrooms will likely be difficult amid national teacher shortages: 86% of public schools in the country have reported challenges in hiring teachers due to a lack of candidates and a lack of qualified candidates (Delarosa, 2023). Raising property taxes to fund school construction can deepen inequalities and prompt backlash (Krimmel, 2021). Redrawing school boundary lines may be the most volatile approach to solving school capacity, likely angering parents “who often move to areas so their children can attend certain schools” (Bierbaum and Sunderman, 2021; National Center for Smart Growth, 2006, p. 20). Furthermore, parents and students may be concerned about increased commuting times and costs that come with redistricting (Bierbaum and Sunderman, 2021). Restricting housing production through APFOs can be a short-term fix, but can lead to increased housing prices, social exclusion, and can also “reinforce or perpetuate school segregation” (Bierbaum and Sunderman, 202, p. 6). Given the trade-offs, jurisdictions must weigh school capacity concerns against other policy goals in the community, such as housing affordability, integration, and educational quality.

#### 3.5. APFO Design

Debates around growth management in general are often less about the presence or absence of growth management policies and more about the specific design of policies (Nelson et al., 2002). APFOs are a unique growth management policy, as there is a lot more room for customization by

governments compared to policies like permit caps or growth boundaries. The four main ways that APFOs differ from each other are in (1) which facilities are covered, (2) the timing or “trigger” for the policy, (3) exempted developments and alternatives to adequacy, and (4) how adequacy is measured and the level of service required to meet adequacy.

### 3.5.1. *Facilities*

The type and popularity of facility coverage was described earlier in the “Maryland Inventory” section and can also be found in *Table A3* and *Table B3*. Common sense would suggest that more facilities coverage increases the time, effort, and cost of monitoring and adhering to APFOs for jurisdictions. However, the specific facilities included are also crucial. The popularity of schools and roads/transportation testing suggest that it is with these facilities that the impacts of growth are the most evident. At the same time, these are the most costly and complex facilities to maintain and improve (Ben-Zadok, 2005; Ewing et al., 2022; Volker et al., 2019). Therefore, jurisdictions looking to revise and amend their APFOs should begin then with their schools and roads/transportation tests. Jurisdictions should also consider reducing the overall number of services included in their APFOs, as this may help reduce negative economic externalities (Ott and Read, 2006).

### 3.5.2. *Timing*

When and how many times adequacy is assessed can impact the difficulty of the development process and the effectiveness of APFOs at managing growth. Some jurisdictions assess adequacy once, such as before preliminary plat or development approval. Other jurisdictions require multiple assessments. Only checking for adequacy once makes the development process easier for developers than compared to requiring multiple adequacy checks. However, single adequacy checks may miss inadequacy that occurs later in the development process. Early checks provide more clarity for developers but may fail to ensure facilities are adequate at the time of construction or completion. To address this challenge, many jurisdictions look at projected population growth and include adequacy that will be created by capital improvements programs and other expected developments. Later checks ensure adequacy is present at the time of construction but can blindside developers who have already spent sufficient time and effort in the development process (Maryland Department of Planning, n.d.). The optimal timing will vary based on local growth rates, staffing capacity, and housing needs.

### 3.5.3. *Exemptions and Alternatives to Adequacy*

To align APFOs with broader housing and development goals, many jurisdictions exempt specific types of development from certain tests or APFOs entirely. Exemptions also recognize that different housing types produce different strains on public facilities. Whereas a single-family subdivision is likely to introduce new children into the school system and create additional traffic, a senior-living home is unlikely to do either of those things.

The most popular housing exemptions are age-restricted housing complexes, with these housing types being exempted in full or in part from APFOs in 12 counties. Other exemptions include minor subdivisions, mixed-use developments, affordable housing or moderately priced dwelling units, and subdivisions that generate fewer than a certain number of new motor vehicle trips.

Several counties and municipalities include exemptions for single-family development projects, either entirely or those below a certain lot number. For example, in Anne Arundel County, residential site development plans for a single-family detached dwelling are exempt from the road adequacy test, while in Denton, single-family development projects are exempted entirely from the town's APFOs. Exemptions for single-family developments would seem to undermine other Smart Growth principles by privileging low-density, sprawled development. While an individual single-family development may have minimal impact on facilities compared to an individual multi-family development, the cumulative impact of single-family developments on facilities must be taken into account (Florida Department of Community Affairs, 2007).

Some jurisdictions also exempt development in certain locations, usually based on the zoning code. In Mount Airy, developments below a certain square feet threshold within the town's Downtown Zone (DTZ) are exempt from the parks and open space adequacy test. Including exemptions that align with zoning codes is a simple way to align APFOs with comprehensive plans and target growth to specific areas by removing barriers in the development process.

When facilities are inadequate, jurisdictions may offer alternatives to approval. Common alternatives are mitigation and developer payment plans, in which developers can pay for facilities improvements or construction or conduct the improvements or construction themselves. Another alternative option offered by jurisdictions is for recommendations to be made to developers to reduce the intensity of their development to fit within the available facility capacity (White and Paster, 2003). Developers may reduce the density of development, the number of units being built, or the type of development. The last alternative is a phasing or temporary halting of development until facilities are improved (White and Paster, 2003). Development may be allowed to move forward through piecemeal construction that aligns with adequacy of facilities. If development is halted altogether, some jurisdictions may set a time limit for how long developers can be made to wait, and if the moratorium passes that time limit, then development will be allowed to proceed regardless of facilities improvements (National Center for Smart Growth, 2006). Creating alternative routes to approval ensures that inadequate facilities do not entirely halt development. Additionally, it allows for alternative funding streams for facilities improvement and construction through payment and mitigation options. Finally, creating robust options for developers to bypass adequacy tests and moratorium can help prevent localities from being subject to a takings challenge by developers (Strachan, 2001). These alternatives should be crafted with other housing and development goals in mind. For example, alternatives could be offered in certain zoning areas, or a sliding scale of payment options could be used based on the development type and location. Ideally, capital improvements programs should be effective and well-coordinated with APFOs to minimize reliance on alternatives.

#### 3.5.4. *Level of Service (LOS)*

Jurisdictions define and measure adequacy in various ways. First, jurisdictions may operationalize “adequacy” differently. Operationalization impacts data collection efforts, how lengthy and costly the development review process is, the level of difficulty in meeting APFO requirements, and whether the APFO achieves its goal of facility optimization and other jurisdictional priorities (Volker et al., 2019). For example, road infrastructure is mostly commonly measured according to a Level of Service (LOS) indicator that measures congestion on roads (Volker et al., 2019). An alternative is the Vehicle Miles Traveled (VMT) indicator, which instead looks at the total miles traveled by vehicles either for an entire population or per capita (Volker et al., 2019). Using VMT instead of LOS can encourage shorter travel distances, denser development, examines overall vehicle travel in a region, and can speed up the development review process (Volker et al., 2019). No counties or municipalities in Maryland use VMT for road adequacy. Additionally, most roads/transportation requirements in Maryland largely focus on motor vehicle adequacy. Only four counties (Frederick, Howard, Montgomery, and Prince George’s) and two municipalities (Annapolis and Rockville) consider non-motor vehicle adequacy. Non-motor vehicle travel requirements can help fund public transit construction and improvements, improve walkability and bikeability, align with transit-oriented and mixed-use development zones, and reduce congestion on roads (Delaware Valley Regional Planning Commission, 2002; Maryland Department of Planning, n.d.). Given the goal of growth management policies to discourage sprawl, more serious efforts should be made to adjust transportation requirements to support non-motor vehicle travel.

Once operationalized, jurisdictions set different thresholds—or Level of Service (LOS) standards—for a facility to be deemed adequate. This threshold impacts the strictness of the APFO. For example, water adequacy in Calvert County is defined as the maximum day demand being less than 90% of the system production capacity, while Carroll County has it set for less than 85%. One useful tool that many jurisdictions have used is adjusting the threshold requirement based on the facility type or location. For example, in St. Mary’s County, roads in rural preservation districts must reach LOS “C” or better, while roads in development districts only have to reach LOS “D” or better. Adjusting thresholds by geography or facility type helps tailor APFOs to local conditions and goals.

#### 3.6. Implementation

Even if jurisdictions have the same *written* APFO policy, these policies may still be *implemented* in different ways. Variations in implementation may result from differing housing markets, rates of population growth, availability of funding, or hesitancy to pass on facilities improvements costs onto developers or residents (Ben-Zadok, 2005; National Center for Smart Growth, 2003; Song, 2007). Inconsistent application can undermine the effectiveness of APFOs at managing growth and create unpredictable housing outcomes (Strachan, 2001). Without predictable and consistent implementation, developers may be hesitant to build in certain areas.



Jurisdictions should look beyond the *written language* of their APFO and examine how they are applied *in practice*. For instance, in Florida, a major challenge was that jurisdictions struggled to implement APFOs according to state or regional standards (Ben-Zadok, 2005). This led to inconsistent applications between jurisdictions. Local governments should ask themselves: Is the APFO actually being implemented as written? Are the standards realistic and achievable? Who is managing and budgeting the necessary improvements for facilities? A review of approved and rejected development applications, adequacy conditions at the time of approval, and adequacy issues that emerged after approval can help jurisdictions better assess the implementation of APFOs.

### 3.6.1. Policy Environment

There is limited research that isolates the effects of APFOs on housing outcomes (Read, 2015). Instead, research tends to evaluate the entire package of growth management or land use regulations. While this makes it difficult to disentangle the specific impacts of APFOs, it offers a more realistic picture of how APFOs interact with other policies to shape development.

Other key policies that shape housing and development outcomes include density regulations, affordable housing programs, capital improvements programs, inclusive zoning, building codes, school attendance zones, and design standards (Bierbaum and Sunderman, 2021; Carlson and Mathur, 2003; Pendall, 2000). In Maryland, this also includes PFAs, transfer of development right programs, and other Smart Growth initiatives. Implicit forms of growth restrictions, such as lengthy approval processes and low approval rates of development applications, should also be considered (Xing et al., 2004). Analyzing APFOs within this broader policy environment will allow for a more accurate understanding of their effects on housing and offer insight on how to adjust APFOs to produce better housing outcomes.

An important consideration that has been alluded to throughout this review is the necessity for APFOs to be coordinated with capital improvements programs and comprehensive plans. APFOs are a *timing* mechanism for development based on facility adequacy. Therefore, they should be directly linked to future funding and planning for facilities found in comprehensive plans and capital improvements programs. Yet in practice, these three planning documents—APFOs, comprehensive plans, and capital improvements programs—are often developed independently and follow separate planning processes (Seyoum, 2009). Proper lack of coordination can result in significant delays in development, as facilities are found inadequate but not scheduled for funding or construction. In Baltimore County, a lack of proactive thinking for school facilities led to a lack of facility maintenance until 2011, despite growing school enrollment between 2000 and 2015 (Bierbaum and Sunderman, 2021, p. 15). Furthermore, lack of coordination increases the likelihood of takings challenges (White and Paster, 2003). APFOs should be treated as one component of a set of policies toward achieving growth and development goals, and thus need to complement other existing land use and financing policies.

### 3.7. Conclusions

Overall, APFOs remain a key growth management tool in Maryland. Since 2012, municipal adoption has increased significantly, and facility coverage has largely remained the same or increased among counties and municipalities. APFOs focus the most on school, roads/transportation, water, sewer, and fire/EMS. Counties typically cover more than half of all facilities, while municipalities had a broader range of facility coverage. Finally, counties offer greater flexibility through exemptions, especially for senior housing and affordable housing. Growing exemptions lists among counties and municipalities since 2012 points to an increasing willingness to be flexible with APFOs.

APFOs can be effective instruments of timing and guiding growth; however, their success and potential to create adverse housing outcomes are highly dependent on a multitude of variables (Ben-Zadok, 2005; National Center for Smart Growth, 2003). Key variables were the design, implementation, and policy environment of APFOs. Based on the literature, we can predict that APFOs are likely to slow down housing production, have inflationary effects on housing prices, and encourage slightly more multi-family housing development. A lengthy, complicated, and costly development process and anticipated amenity improvements as a result of APFOs may be the largest contributors to reduced housing production and increased housing prices. Several questions remain regarding APFOs' contribution to sprawl, social exclusion, and the provision of affordable housing. Schools are a critical component of APFOs, and drive a significant portion of the use and debate of APFOs. However, several assumptions about the relationship between new development, school capacity, and academic achievement are questionable. Given these limitations, school capacity tests should be the first facility to be carefully reviewed. The strength of APFOs is that there is considerable room for flexibility in their overall design. Thus, jurisdictions are not limited to an either-or decision; to achieve better housing outcomes, jurisdictions do not necessarily have to remove APFOs but rather can simply adjust them.

## 4. **Best Practices**

Based on the inventory and literature reviewed, nine best practices are proposed to help jurisdictions with APFOs evaluate, adjust, and refine their policies to better align with broader goals and support effective growth management. Each best practice is accompanied by an example ordinance from a Maryland county or municipality.

### 4.1. Clarify the Purpose of APFOs and Reconsider Their Use if Necessary

Jurisdictions should remind themselves of the goals of APFOs. APFOs are a growth management, *not* a growth control tool (Delaware Valley Regional Planning Commission, 2002). While growth control and growth management are similar in their motivations, the former seeks to limit development while the latter accommodates development (Nelson et al., 2002). APFOs operate as a growth management tool by directing growth toward certain areas where development is desired (Ewing et al., 2022). APFOs achieve this by promising growth in certain areas through coordination with comprehensive and capital improvements programming plans

(Delaware Valley Regional, Planning Commission, 2002). As a result, APFOs are meant to avoid and make moratorium unnecessary (Delaware Valley Regional Planning Commission, 2002).

Jurisdictions should ask themselves: is this how APFOs are being used? If they are being used as a growth control tool, this can make APFOs both ineffective and harmful (Delaware Valley Regional Planning Commission, 2002, p. 23). In Florida, use of the GMA as a growth control tool produced development effects that were in contradiction with the purposes of the GMA (Anthony, 2003). Additionally, jurisdictions might be putting in extra effort to mitigate harmful effects rather than repurposing APFOs as a growth management tool or removing APFOs altogether (Delaware Valley Regional Planning Commission, 2002).

This type of reflection will require a review of APFOs along with a broader analysis of growth management policies. Together, this package of growth management tools should be aligned with the goals of growth management within a given jurisdiction, such as preserving natural resources or providing affordable housing. Additionally, jurisdictions should seek to choose the simplest means possible to achieve these goals (Maryland Department of Planning, n.d). Growth management requires a “deft touch” and policies like APFOs may act more as “sledge hammers” in managing growth (Landis, 2006, p. 427). For example, alternative strategies to achieving adequate facilities include increasing staffing at capital improvements programming, providing more frequent updates and more strict adherence to facilities plans, and maintaining more thorough and up-to-date information of projected growth and its demands on facilities (Maryland Department of Planning, n.d.).

### **Example Ordinance**

Howard County outlines the purpose of APFOs to create a predictable planning environment and align with the general plan to manage where and when growth occurs. The county also has an “Adequate Public Facilities Act Review Committee” to offer recommendations to the Adequate Public Facilities Act and calls upon the Department of Planning and Zoning to continually assess the growth management process to offer its recommendations.

Howard County Code of Ordinances Sec. 16.1100.

“ The general plan guides where and when growth occurs. The adequate public facilities process and standards will manage growth so that facilities can be constructed in a timely manner. Within one year of the enactment date of the general plan, as required by section 16.801 of this Code, an Adequate Public Facilities Act Review Committee shall be convened. The Review Committee shall meet, conduct at least two public hearings, and, within one year of its first meeting, submit a report with recommendations on the Adequate Public Facilities Act to the County Executive and the County Council. The Committee shall be staffed by the Department of Planning and Zoning.

[...]

The Department of Planning and Zoning will develop statistics and other pertinent data which will be continually used to assess the growth management process so that status reports can be prepared and adjustments recommended regarding the growth management process.

[...]

The purpose of this subtitle is to provide a predictable planning environment for the provision of adequate road facilities and adequate public schools facilities by requiring residential and nonresidential projects to pass certain tests as a condition of subdivision or site development plan approval.”

4.2. Integration with Comprehensive Plan

Given the purpose of APFOs to manage growth, it is a necessity that they build off of and reinforce the foundation of comprehensive plans. Jurisdictions should look at areas targeted for growth within comprehensive plans and ensure that APFOs are crafted to direct growth to these areas (Ewing et al., 2022). Coordination should be achieved through synchronizing land-use options, capacity planning, and budgeting between different policy makers and agencies within jurisdictions (Addison et al., 2023). This ensures that local governments are able to construct and improve facilities to accommodate expected development and live up to promises made in comprehensive plans (Delaware Valley Regional Planning Commission, 2002). For Maryland, APFOs should also be consistent with areas targeted for growth through PFAs (National Center for Smart Growth, 2006).

Additionally, comprehensive plans need to have clear plans for allocating adequate funding for needed infrastructure construction and improvements. Doing so supports development within PFAs and avoids moratoria being used under APFOs (National Center for Smart Growth, 2006). Jurisdictions can consider APFOs within comprehensive plans by measuring the impact of map amendments on various facilities, such as projected transportation (Florida Department of Community Affairs, 2007).

One way jurisdictions have promoted alignment with comprehensive plans is by creating areas and districts that are exempt from adequacy requirements or have more flexible requirements based on zoning classification, urban form, or projected growth. In Florida, Transportation Concurrency Exception Areas are those that are committed to multimodal mobility and that have the proper urban form to reduce automobile reliance. As a result, development can proceed despite inadequate LOS (Florida Department of Community Affairs, 2007). Utilizing this area and district-based approach to adequacy can help jurisdictions reinforce land use and transportation goals identified in their comprehensive plans.

### Example Ordinance

Road and transportation LOS in Anne Arundel, Charles, Montgomery, Prince George's, Queen Anne's, St. Mary's, and Washington counties align with their zoning districts. St. Mary's approach is included below.

St. Mary's County Comprehensive Zoning Ordinance 70.7.

#### Schedule 70.7.3: Allowable Levels of Service

| Base Zoning District                            | Comprehensive Plan District      |  | Peak Hour |
|---|----------------------------------|--|-----------|
| Residential Districts                           | Development Districts            |  | LOS D     |
|   | Town Centers and Village Centers |  | LOS C     |
| Commercial and Mixed Use Districts              | Development Districts            |  | LOS D     |
|   | Town Centers and Village Centers |  | LOS C     |
| Industrial and Office Districts                 | Development Districts            |  | LOS D     |
|   | Town Centers and Village Centers |  | LOC C     |
| Rural Districts and Commercial Marine Districts | Rural Preservation District      |  | LOS C     |

#### 4.3. Integration with Capital Improvements Programming and Plans

Funding for the improvement and construction of facilities to maintain adequacy levels need to be financially feasible, and this determination needs to be made *prior* to implementing an APFO (Delaware Valley Regional Planning Commission, 2002; Florida Department of Community Affairs, 2007; Ott and Read, 2006). Financial feasibility is important because jurisdictions are responsible for the improvements they promise in their capital improvements plans. Facility funding in these plans must be for those facilities that jurisdictions *can* fund, not those facilities they *hope* or *wish* to fund (Delaware Valley Regional Planning Commission, 2002).

APFO revision and adequacy tests should be conducted alongside capital improvements programming plans, and both APFOs and capital improvements plans need to specify “when, how and where improvements will be provided” for public facilities (Ben-Zadok, 2005; Florida Department of Community Affairs, 2007, pp. 14). By doing so, the location of either document is reinforced, and developers have a clearer idea of the location and timing of future facilities improvements (Delaware Valley Regional Planning Commissions, 2002).

### **Example Ordinance**

Carroll County’s procedure for adequacy determination aligns with timing of their six-year Community Investment Plans (CIP). This ensures that approvals and denials are dependent upon current funding projections.

#### Carroll County Code of Ordinances § 156.06

“(a) Denial. If a public facility or service is inadequate or projected to be inadequate during the current CIP at the preliminary plan stage and no relief facility is planned in the six-year CIP to address the inadequacy or no mitigation is accepted by the county pursuant to § 156.06(B), the plan shall be denied by the Commission.

(b) Conditional approval. If a public facility or service is inadequate and a relief facility is planned in the six-year CIP to address the inadequacy or mitigation is accepted by the county pursuant to § 156.06(B), or a public facility or service is approaching inadequate during the current CIP, the Planning Commission may conditionally approve the plan to proceed to the final plan stage and issue a tentative recordation schedule and tentative building permit reservations.

(c) Approval. If all public facilities and services are adequate during the current CIP, the Planning Commission may approve the plan to proceed to the final plan stage and issue a recordation schedule and building permit reservations.”



#### 4.4. Tailored to Support Multimodal Transportation

As noted in the inventory, most jurisdictions in Maryland only consider road and automobile adequacy tests. Only having adequacy tests for roads can result in outcomes that are counterintuitive to growth management objectives, such as widening roads, increasing dependence on automobiles, decreasing density required to support public transit, and constraining infill development (Florida Department of Community Affairs, 2007). This can further lead to “unwanted environmental, social, and financial costs” (Delaware Valley Regional Planning Commission, 2002, p. 24). Additionally, the common metric used to measure road adequacy (LOS) further produces automobile oriented outcomes by underestimating “the capacity to move people in the total transportation infrastructure, including alternative transportation modes” (Maryland Department of Planning, n.d., p. 14). This incentivizes and forces developers to fund road improvements at the expense of other transit modes (Maryland Department of Planning, n.d.; Volker et al., 2019).

Jurisdictions can adopt a more multimodal and nuanced approach to transportation adequacy tests in a few ways. First, they can switch from a LOS-based metric to a VMT-based metric. This can streamline urban development projects since urban development is “less likely to cause significant VMT impacts than significant LOS impacts” (Volker et al., 2019, p. 119). Second, adequacy standards for other transportation modes—such as public transit, bicycles, and pedestrians—should be included (Florida Department of Community Affairs, 2007). This allows jurisdictions to take a more holistic approach to transportation adequacy and ensures there are funding and mitigation options that include multimodal transportation options. Furthermore, jurisdictions should make exceptions for road inadequacy if multi-modal options are adequate (Maryland Department of Planning, n.d.). Finally, jurisdictions should adopt a corridor-level approach to adequacy testing in certain areas rather than an intersection-level approach (Delaware Valley Regional Planning Commission, 2002). Again, a corridor-level approach allows for jurisdictions to analyze transportation adequacy more holistically and consider a range of mitigation and funding improvements beyond road widening (Florida Department of Community Affairs, 2007).

Another popular approach to multimodal LOS is using specialized areas and districts to align with transportation goals and expectations from comprehensive plans. Along with the Transportation Concurrency Exception Areas discussed above, Florida also has a Multimodal Transportation District, where LOS is tested for roads, bicycles, pedestrians, and transit but priority is given to pedestrian mobility (Florida Department of Community Affairs, 2007). These areas and districts may be based on current and expected zoning classification, density, urban form, levels of congestion, viability of road improvements, or areas targeted for growth. Given that most of Maryland is not served with multimodal transportation, this recommendation may only be relevant to the most urbanized areas in the State.

### **Example Ordinance**

In the APFO Models and Guidelines #24 report from the Maryland Department of Planning, Rockville’s Road and Transportation LOS was highlighted. It is included again here as it includes both multimodal LOS and adopts an area-based approach to measuring LOS. Rockville’s APFO utilizes a Comprehensive Transportation Review (CTR) that assesses auto, transit, pedestrian, and bicycle LOS. Different thresholds apply to Transit-Oriented Areas (TOAs) and non-Transit-Oriented Areas (non-TOAs). TOAs have viable multi-modal options, allowing for greater congestion. Non-TOAs have stricter congestion standards.

#### Rockville Adequate Public Facilities Standards II.A.

“In order to address increased congestion and to encourage development activity where viable transportation options exist, the City has established Transit-Oriented Areas (TOAs) and non- Transit-Oriented Areas (non-TOAs), as approved by the Mayor and Council. Areas defined as TOAs must include existing or programmed facilities that provide multi-modal access.

[...]

Transit-Oriented Areas (TOAs) and non-Transit-Oriented Areas (non-TOAs) have different thresholds. More congestion is allowed in TOAs, where viable multi-modal options exist. Stricter congestion standards are applied in non-TOAs where less congestion is mandated.”

#### 4.5. Collaborate to Update School Planning and Capacity Management

Current indicators used for state-rated school capacity are “not intended to be a standard of what class sizes should be”, as staffing varies widely between and within school districts (Maryland Department of Planning, n.d., p. 15). Furthermore, state-rated capacity measures only account for the contribution of new residential development to school enrollments, and do not account for residential turnover in existing housing units (Maryland Department of Planning, n.d.). Thus, there is room to update school capacity indicators, similar to how some transportation LOS indicators include multimodal options. Some municipalities in Maryland do deviate from using state-rated capacity, though it is often because standards are unspecified.

Indicators and requirements for school capacity should be updated once jurisdictions have a better idea of whether school enrollment is growing, where it is growing, and what is driving this growth. The best example of this is Montgomery County’s Growth & Infrastructure Policy update in 2020. Montgomery County analyzed generation rates and enrollment growth coming from across new and existing housing units and a variety of housing types (Montgomery County, 2021). Turnover from existing units was found to be responsible for over three-quarters of the share of enrollment growth between 2010 and 2015. Following this finding, the county updated their school adequacy test by removing moratorium and instead requiring payments in over-capacity school service areas. Other jurisdictions should conduct similar analyses to Montgomery County to better identify the sources of school enrollment growth. Based on this information, indicators and requirements for school capacity should be adjusted to better address the causes of enrollment growth.

Along with these recommendations, jurisdictions should also look for ways to increase and better use school capacity. Options include adaptive reuse, infill development, and redevelopment on smaller sites to increase school capacity; a tiered development approach within PFAs to incrementally allow for development; and a reconsideration of redistricting and clustering to utilize available school capacity (APFO Workgroup, 2013). The last option may also be necessary to promote school desegregation (Bierbaum and Sunderman, 2021). However, this option may be the most unpopular approach and may make transportation to school more difficult (National Center for Smart Growth, 2006).

Finally, all jurisdictions should seek to achieve better communication between school boards, parents, and planning commissions on issues of school capacity and development approvals (APFO Workgroup, 2013). For example, communicating the findings of an enrollment analysis such as Montgomery County’s to parents and school boards would be crucial in defending and justifying a change in school adequacy testing. This is an important consideration given that concerns about overcrowded schools, zoning changes, and development are common concerns of school boards and parents (Krimmel, 2021). There has to be open communication between all parties involved and better understanding of the underlying issues and information that motivate certain beliefs and decisions.

### Example Ordinance

Montgomery County removed their moratorium approach to school adequacy and adopted a payment system in its place.

#### Montgomery County 2024-2028 Growth and Infrastructure Policy Guidelines for Public School Facilities

“Every MCPS elementary, middle, and high school with a predefined geographic boundary is assessed by the capacity utilization of their facility projected for four fiscal years in the future (e.g., the FY2025 Annual School Test will evaluate projected utilization in the 2028-29 school year).

If a school’s four-year projected utilization does not exceed both 105% utilization and the applicable seat deficit threshold identified in Table S2 for ‘No UPP’, the facility is considered adequate. If a school’s four-year projected utilization is found to exceed the subsequent standards indicated in Table S2, the service area’s status will require mitigation in the form of a Utilization Premium Payment (UPP). Table S2 summarizes the adequacy parameters of the Annual School Test.”

**Table S2. School Adequacy Standards**

| Utilization Standard |     | Seat Deficit Standard                        | School Service Areas Status |
|----------------------|-----|--|-----------------------------|
| < 105%               | or  | < 74 for ES<br>< 120 for MS<br>< 160 for HS  | No UPP                      |
| ≥ 105%               | and | ≥ 74 for ES<br>≥ 120 for MS<br>≥ 160 for HS  | Tier 1 UPP                  |
| ≥ 120%               | and | ≥ 92 for ES<br>≥ 150 for MS<br>≥ 200 for HS  | Tier 2 UPP                  |
| ≥ 135%               | and | ≥ 110 for ES<br>≥ 180 for MS<br>≥ 240 for HS | Tier 3 UPP                  |

#### 4.6. Develop a Variety of Alternatives to Adequacy

To better align APFOs with other growth management goals of controlling sprawl and targeting growth in desired areas, APFOs need more flexibility to remove delays and obstacles to developing in areas targeted for growth (Delaware Valley Regional Planning Commission, 2002; Song, 2007). Flexibility can be achieved by utilizing a mix of mandatory and incentive-based components (White and Paster, 2003).

One strategy is to promote infill development through phased development strategies (Florida Department of Community Affairs, 2007). This includes incentives for infill development and allowances for staged expansion as capacity is improved or constructed. This strategy avoids moratorium and encourages development in more built-out areas. Another strategy already mentioned is to allow mitigation in a variety of forms. For example, transportation mitigation options should allow for mitigation for alternative modes of transportation (Florida Department of Community Affairs, 2007). This provides more options for developers to mitigate inadequacies and can be tailored to better fit the needs of the area and other policy goals. Finally, some jurisdictions may consider implementing a “pipelining” option which allows for developers to pay fees and ignore adequacy requirements (Delaware Valley Regional Planning Commission, 2002). This option may best be used in areas specifically targeted for growth to further incentivize development and avoid delays.

#### **Example Ordinance**

Prince George’s County’s APFO includes both phasing, mitigation, or payment options as alternatives for adequacy for all facilities to allow developments to proceed.

#### Prince George’s County Code 24-4503.

“Based on the evaluation and determination in Section 24-4503(b)(2) above, the Planning Director shall either:

(A) Issue a certificate of adequacy if all public facilities are adequate;

(B) Issue a conditional certificate of adequacy if:

(i) All or some of the public facilities are inadequate at the time of application; and

(ii) The applicant has agreed to provide mitigation, reduce project impact, or phase development so that the applicable public facilities will meet the adopted LOS standard for the appropriate public facility when the impacts of the development occur; or

(C) Deny the certificate of adequacy if the public facilities are inadequate, and the applicant has not agreed to conditions that would mitigate or reduce their impacts.”

#### 4.7. Improve Adequacy Calculations and Provide Access to Adequacy Information

Many jurisdictions exempt minor developments and those with minimal trip generations from certain requirements. While this allows for greater flexibility, there also needs to be better reporting and accounting for the cumulative impact of minor developments on facility capacity (Florida Department of Community Affairs, 2007). This may be especially important for jurisdictions that do not measure facility adequacy on an annual basis or when a facility is already at or near capacity (Florida Department of Community Affairs, 2007). Including cumulative impacts ensures that adequacy tests are accurate and not distorted by repeated approval of minor developments.

Adequacy evaluation is the responsibility of local governments, not developers (National Center for Smart Growth, 2006). To support this, adequacy tracking systems should be updated regularly, and local governments should notify developers of potential capacity issues as early as possible in the development process, even if formal tests are not yet conducted (Maryland Department of Planning, n.d.; Florida Department of Community Affairs, 2007). One way to achieve this is by offering both informal and formal adequacy tests, giving applicants a clearer understanding of available capacity for their proposed projects (Florida Department of Community Affairs, 2007). Additionally, providing written guides and additional resources to help applicants navigate the adequacy process eases the burden on applicants (Florida Department of Community Affairs, 2007). Transparency of information and consistent testing can help establish predictability and open communication between governments and developers.

#### **Example Ordinance**

In addition to the Adequate Public Facilities section in the county's zoning ordinance, Charles County also has an Adequate Public Facilities Manual that provides information on the procedures and guidelines of school, water, and transportation testing.

#### Charles County Adequate Public Facilities Manual 9.0

"This document is intended to establish specific standards, criteria, and procedures for use in determining the adequacy of the public facilities required to support and service any proposed subdivision or development. This manual is adopted by the County Commissioners after public hearings have been held in accordance with the Charles County Zoning Ordinance provisions. The Commissioners shall consider any proposed changes to this manual on at least a bi-annual basis."

#### 4.8. Coordinate Within and Between Jurisdictions

As discussed in best practice “*Collaborate to Update School Planning and Capacity Management*”, there needs to be greater communication between school boards and planning commissions to ensure all community goals are being met. This best practice extends to other departments and agencies *within* jurisdictions that manage facilities covered by APFOs, such as transportation departments, public works departments, and police and fire departments. This may include sharing information about adequacy tests, collaborating on mitigation options and alternatives to adequacy, and identifying priority areas for facilities improvements.

Coordination *between* jurisdictions at all scales (municipal, county, and state) is also crucial, especially for facilities that are near or cross jurisdictional boundaries. A key example of this is roadways, as roads are owned and managed by different jurisdictions and often cross jurisdictional boundaries. Road adequacy measurements and LOS should be standardized between neighboring jurisdictions to the extent possible (Delaware Valley Regional Planning Commission, 2002; Florida Department of Community Affairs, 2007). Coordination ensures that adequacy is consistent along the roadway and that development does not just get pushed from one side of the boundary to the other (National Center for Smart Growth, 2006). To achieve this, multi-jurisdictional coordination processes could be used to amend APFO requirements for specific roadways and apply APFOs to development at or near borders (Florida Department of Community Affairs, 2007). Coordination between local governments and the state government is also needed in regard to state roads. Maintaining LOS standards on state roads that lack funding for improvements is near impossible for local governments, as they have “neither the means nor the legal ability to solve problems on these highways” (Delaware Valley Regional Planning Commission, 2002, p. 23). One suggestion offered is to create a tiered system of adequacy from state to county to municipal levels, where states are solely responsible for meeting adequacy on state roads and other fundamental facilities, while counties and municipalities cover those that are solely under their control (Strachan, 2001). Improving communication and coordination between jurisdictions ensures adequacy is maintained and can help avoid housing development getting pushed across jurisdictional borders (Florida Department of Community Affairs, 2007; Kim et al., 2020).

### **Example Ordinance**

In Chesapeake Beach, different reporting mechanisms are applied to adequacy tests of local versus county or state roads.

Chesapeake Beach Code § 245-45.

“If road facilities are county or state facilities and are identified as substandard during this process, the Planning and Zoning Commission will refer them to the Calvert County Planning Commission and the Calvert County Commissioners to be considered in the next Calvert County Capital Facilities Plan, or to the appropriate state agency as the case may be.”



#### 4.9. Align and Combine with Affordable Housing Initiatives

The literature review demonstrated that affordable housing availability often depends more on government commitment to affordable housing initiatives than on the presence or absence of APFOs. Therefore, APFOs should complement these initiatives and seek to actively incentivize affordable housing production. Broadly, governments should evaluate the full spectrum of growth management policies that affect affordable housing and implement systems to monitor both housing affordability and capacity (Carlson and Mathur, 2003; National Center for Smart Growth, 2003). Strengthening affordable housing programs, such as inclusionary housing programs, can help offset the potential negative effects of growth management policies (Anthony, 2017). Stronger local government intervention is also critical to improving the “competitiveness” of low-income households (Addison et al., 2013, p. 221) Within Maryland’s state-led growth management framework, the state government has an important role to play, particularly because lower-income households may not have the flexibility to relocate while remaining close to employment centers (Anthony, 2003). Within APFOs, greater flexibility should be granted to affordable housing projects, including through fee waivers and expedited permitting (Anthony, 2017; Carlson and Mathur, 2003). One of the most significant barriers to affordable housing production is restrictive density regulations (Anthony, 2006; National Center for Smart Growth, 2003; Pendall, 2000). APFOs can counteract these regulations by removing or relaxing adequacy standards for higher-density development, particularly in areas zoned or targeted for such growth.

## Example Ordinances

Three examples are provided. First, in Annapolis, a variety of housing developments are exempted from school adequacy testing, including properties developed through the Low Income Housing Program. Second, in Frederick, affordable housing does not have to pay any school mitigation fees. Finally, in Smithsburg, affordable housing may be approved by the Mayor and Town Council despite inadequacy.

### Annapolis Code of Ordinances 22.25.030

“The following are exempt from the requirements of this chapter:  
[...]

H. Properties developed pursuant to Title 42, Chapter 8 of the United States Code Low Income Housing Program, or Section 42 of the Internal Revenue Code Low Income Housing Tax Credit Program, as long as school pupil generation factors yield per unit contained in the Anne Arundel County Educational Facilities Master Plan, is currently or projected to be under one hundred twenty percent capacity for any individual school serving the area to be developed.”

### Frederick Code Sec. 4-22.

“(c) Affordable housing. Notwithstanding any other provision of this section, for developers of projects that have been awarded the low-income housing tax credit (LIHTC) created by the federal Tax Reform Act of 1986, the amount of the school mitigation fee is zero dollars (\$0.00).”

### Smithsburg Code § 300-40.

“In its sole discretion, the Mayor and Council of the Town or its designee may approve a mitigation program that allows a development to proceed in a school district otherwise designated as inadequate for development under the following conditions:

A. The Mayor and Council of the Town determine that approving this development benefits the community by:

(1) Encouraging certain types of development that offer advantages to the community, including but not limited to the following:

- (a) Development in designated revitalization areas;
- (b) Renovation of abandoned or underutilized structures;
- (c) Affordable or workforce housing or community revitalization projects; or
- (d) Developments with preliminary plat approval prior to July 1, 2006.”

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## Appendices

### Table of Contents

|   |               |
|---|---------------|
| <b>Appendix A : 2025 County APFOs.....</b>                      | <b>47</b>     |
| Table A1: 2025 County APFO Status.....                          | 47            |
| Figure A1: 2025 Map of County APFO Status.....                  | 48            |
| Table A2: 2025 County APFO Sources.....                         | 49            |
| Table A3: 2025 County APFO Facilities Coverage.....             | 51            |
| Table A4: 2025 County Timing of Adequacy Tests.....             | 52            |
| Table A5: 2025 County Exemptions.....                           | 53            |
| Table A6: 2025 County School LOS.....                           | 58            |
| Table A7: 2025 County Road and Transportation LOS.....          | 60            |
| Table A8: 2025 County Water LOS.....                            | 64            |
| Table A9: 2025 County Sewer LOS.....                            | 67            |
| Table A10: 2025 County Stormwater LOS.....                      | 70            |
| Table A11: 2025 County Healthcare LOS.....                      | 72            |
| Table A12: 2025 County Fire/EMS LOS.....                        | 73            |
| Table A13: 2025 County Police LOS.....                          | 76            |
| Table A14: 2025 County Solid Waste LOS.....                     | 77            |
| Table A15: 2025 County Parks & Recreation LOS.....              | 78            |
| <br><b>Appendix B - 2025 Municipal APFOs.....</b>               | <br><b>79</b> |
| Table B1: 2025 Municipal APFO Status.....                       | 79            |
| Figure B2: 2025 Map of County and Municipality APFO Status..... | 85            |
| Table B2: 2025 Municipal APFO Sources.....                      | 86            |
| Table B3: 2025 Municipal APFO Facilities Coverage.....          | 90            |
| Table B4: 2025 Municipal Timing of Adequacy Test.....           | 93            |
| Table B5: 2025 Municipal Exemptions.....                        | 95            |
| Table B6: 2025 Municipal School LOS.....                        | 102           |
| Table B7: 2025 Municipal Road and Transportation LOS.....       | 106           |
| Table B8: 2025 Municipal Water LOS.....                         | 111           |
| Table B9: 2025 Municipal Sewer LOS.....                         | 118           |
| Table B10: 2025 Municipal Stormwater LOS.....                   | 124           |
| Table B11: 2025 Municipal Healthcare LOS.....                   | 126           |
| Table B12: 2025 Municipal Fire/EMS LOS.....                     | 127           |
| Table B13: 2025 Municipal Police LOS.....                       | 131           |
| Table B14: 2025 Municipal Solid Waste LOS.....                  | 133           |
| Table B15: 2025 Municipal Parks & Recreation LOS.....           | 134           |

## Appendix A : 2025 County APFOs

*Table A1: 2025 County APFO Status*

| ADEQUATE PUBLIC FACILITIES<br>ORDINANCES IN MARYLAND<br>County Regulations, 2025 |                  |
|--|------------------|
| County   | 2025 APFO Status |
| <b>Allegany</b>  |                  |
| <b>Anne Arundel</b>  | x                |
| <b>Baltimore City</b>  |                  |
| <b>Baltimore</b>   | x                |
| <b>Calvert</b>   | x                |
| <b>Caroline</b>  | x                |
| <b>Carroll</b>   | x                |
| <b>Cecil</b>   |                  |
| <b>Charles</b>   | x                |
| <b>Dorchester</b>  |                  |
| <b>Frederick</b>   | x                |
| <b>Garrett</b>   |                  |
| <b>Harford</b>   | x                |
| <b>Howard</b>  | x                |
| <b>Kent</b>  |                  |
| <b>Montgomery</b>  | x                |
| <b>Prince George's</b>   | x                |
| <b>Queen Anne's</b>  | x                |
| <b>Somerset</b>  |                  |
| <b>St. Mary's</b>  | x                |
| <b>Talbot</b>  |                  |
| <b>Washington</b>  | x                |
| <b>Wicomico</b>  |                  |
| <b>Worcester</b>   |                  |
| <b>Total</b>   | <b>14</b>        |



Figure A1: 2025 Map of County APFO Status

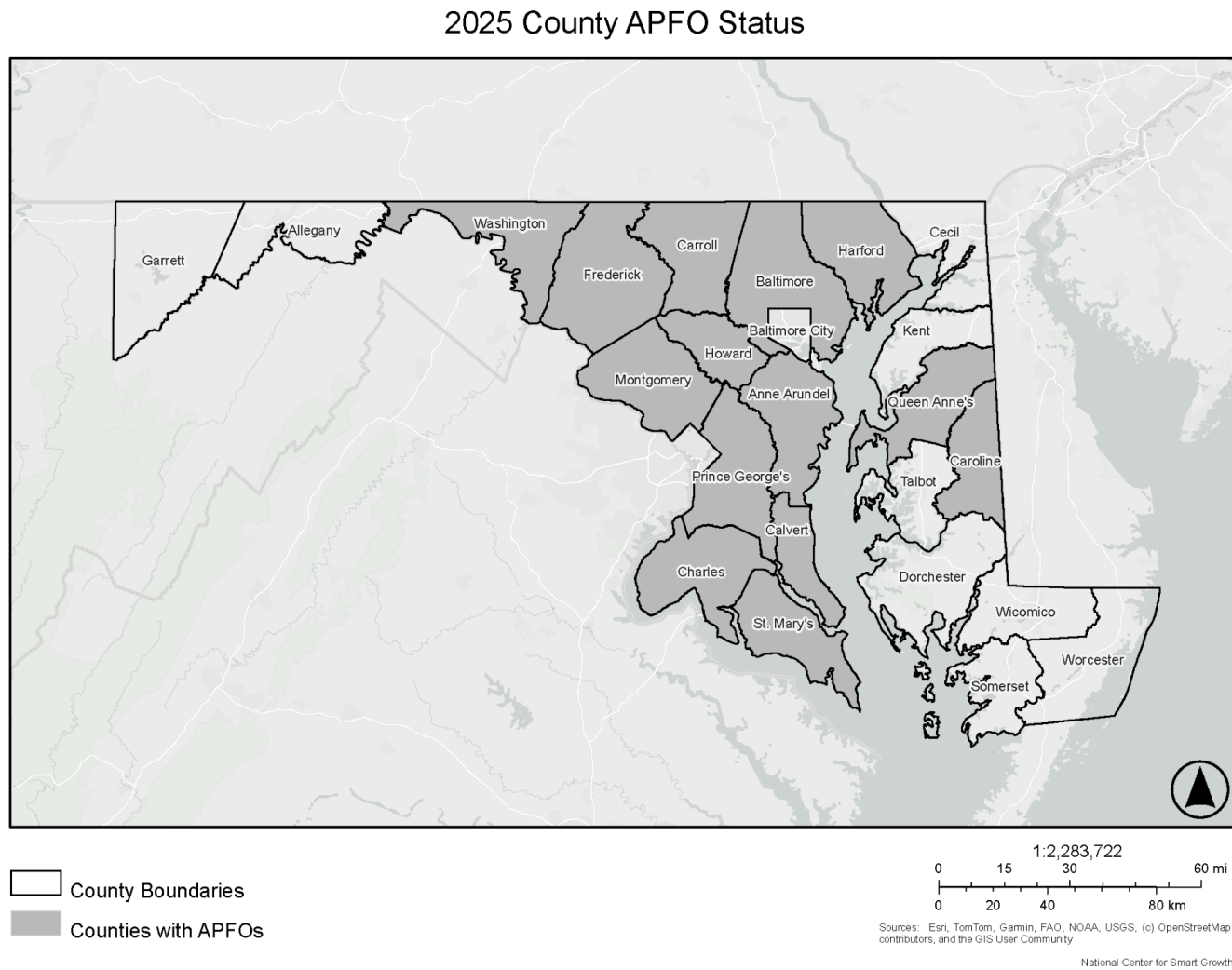


Table A2: 2025 County APFO Sources

| ADEQUATE PUBLIC FACILITIES ORDINANCES IN MARYLAND<br>County Regulations, 2025 |   |
|---|---|
| County  | Source  |
| <b>Anne Arundel</b>   | Anne Arundel County Code, Article 17. Subdivision and Development, Title 5. Adequate Public Facilities  |
| <b>Baltimore</b>  | Baltimore County Code of Ordinances, Article 32. Planning, Zoning, and Subdivision Control, Title 6. Adequate Public Facilities<br><br>Baltimore County Zoning Ordinance, Article 4A. Growth Management |
| <b>Calvert</b>  | Calvert County Municipal Code, Ch 3. Adequate Public Facilities   |
| <b>Caroline</b>   | Caroline County Code, Ch. 162 Subdivision of Land, Art. VII Adequate Public Facilities  |
| <b>Carroll</b>  | Carroll County Code of Ordinances, Title XV: Land Use, Chapter 156: Adequate Public Facilities and Concurrency Management   |
| <b>Charles</b>  | Charles County Code, Ch 297 Zoning Regulations, Art XVI Adequate Public Facilities Requirements<br>Charles County Adequate Public Facilities Manual   |
| <b>Frederick</b>  | Frederick County Code of Ordinances, Part 1 Frederick County Code, Chapter 1-20: Adequate Public Facilities   |
| <b>Harford</b>  | Harford County Administrative Legislation, Ch 267 Zoning, Pt 2 Art XV Growth Management, § 267-162 Adequate public facilities   |
| <b>Howard</b>   | Howard County Code of Ordinances, Title 16 - Planning, Zoning and Subdivisions and Land Development Regulations, Subtitle 11. - Adequate Public Facilities  |

| ADEQUATE PUBLIC FACILITIES ORDINANCES IN MARYLAND<br>County Regulations, 2025 |  |
|---|--|
| County  | Source   |
| <b>Montgomery</b>   | 2024-2028 Growth and Infrastructure Policy   |
|   | Montgomery County Code, Part II Local Laws, Ordinances, Resolutions, Etc., Chapter 50 Subdivision of Land, Division 50.4 Preliminary Plan, Section 4.3 Technical Review, J. Adequate Public Facilities (APF)             |
|   | Montgomery County Code, Part II Local Laws, Ordinances, Resolutions, Etc., Chapter 50 Subdivision of Land, Division 50.10 Administrative Procedures, Section 10.3 Establishment of Adequate Public Facilities Guidelines |
|   | Montgomery County Code, Part II Local Laws, Ordinances, Resolutions, Etc., Chapter 8 Buildings, Article IV. Timely Adequate Public Facilities Determination  |
| <b>Prince George's</b>  | Prince George's County Code, Subtitle 24. Subdivision Regulations, Part 24-4 Subdivision Standards, Sec. 24-4500 Public Facility Adequacy  |
| <b>Queen Anne's</b>   | Queen Anne's County Local Regulations, Chapter 28 Adequate Public Facilities   |
| <b>St. Mary's</b>   | St. Mary's County Comprehensive Zoning Ordinance, Article 7. Site Development and Resource Protection Standards, Chapter 70 Adequate Public Facilities   |
| <b>Washington</b>   | Washington County Adequate Public Facilities Ordinance<br>A Policy for Determining Adequacy of Existing Highways   |

Table A3: 2025 County APFO Facilities Coverage

| FACILITIES EVALUATED IN ADEQUATE PUBLIC FACILITIES ORDINANCES IN MARYLAND<br>County Regulations, 2025 |         |                   |       |       |                        |                |          |        |                            |                  |       |
|---|---------|-------------------|-------|-------|------------------------|----------------|----------|--------|----------------------------|------------------|-------|
| County  | Schools | Roads/<br>Transpo | Water | Sewer | Stormwater<br>Drainage | Health<br>Care | Fire/EMS | Police | Solid<br>Waste<br>Disposal | Parks and<br>Rec | Total |
| Anne<br>Arundel   | x       | x                 | x     | x     | x                      |                | x        |        |                            |                  | 6     |
| Baltimore   | x       | x                 | x     | x     | x                      |                |          |        |                            | x                | 6     |
| Calvert   | x       | x                 | x     | x     | x                      |                | x        |        | x                          |                  | 7     |
| Caroline  | x       | x                 |       |       | x                      |                | x        |        | x                          |                  | 5     |
| Carroll   | x       | x                 | x     | x     |                        |                | x        | x      |                            |                  | 6     |
| Charles   | x       | x                 | x     |       |                        |                | x        |        |                            |                  | 4     |
| Frederick   | x       | x                 | x     | x     |                        |                |          |        |                            |                  | 4     |
| Harford   | x       | x                 | x     | x     |                        |                | x        | x      |                            | x                | 7     |
| Howard  | x       | x                 | x     | x     | x                      |                |          |        | x                          |                  | 6     |
| Montgomery  | x       | x                 | x     | x     |                        | x              | x        | x      |                            |                  | 7     |
| Prince<br>George's  | x       | x                 |       |       |                        |                | x        | x      |                            | x                | 5     |
| Queen Anne's  | x       | x                 | x     | x     |                        |                | x        |        |                            |                  | 5     |
| St. Mary's  | x       | x                 | x     | x     | x                      |                | x        |        |                            |                  | 6     |
| Washington  | x       | x                 | x     | x     |                        |                | x        |        |                            |                  | 5     |
| Total   | 14      | 14                | 12    | 11    | 6                      | 1              | 11       | 4      | 3                          | 3                |       |
| Percent   | 100%    | 100%              | 86%   | 79%   | 43%                    | 7%             | 79%      | 29%    | 21%                        | 21%              |       |

Table A4: 2025 County Timing of Adequacy Tests

| TIMING OF APFO TESTS<br>County Regulations, 2025 |  |
|--|--|
| County   | Timing   |
| <b>Anne Arundel</b>                              | Before preliminary plat approval, before final plat approval.                |
| <b>Baltimore</b>                                 | Before final plat approval, before building permit issuance.                 |
| <b>Calvert</b>                                   | Before final subdivision, site plan, and certain permit approvals.           |
| <b>Caroline</b>                                  | Before preliminary plat approval.  |
| <b>Carroll</b>                                   | Before preliminary plat approval, before final plat approval.                |
| <b>Charles</b>                                   | Before preliminary plat approval.  |
| <b>Frederick</b>                                 | Before site plan subdivision, before preliminary plan or site plan approval. |
| <b>Harford</b>                                   | Before preliminary subdivision or site plan approval.                        |
| <b>Howard</b>                                    | Preliminary plan stage, before approval.                                     |
| <b>Montgomery</b>                                | Preliminary plan stage.  |
| <b>Prince George's</b>                           | Preliminary plan stage, final plat stage.                                    |
| <b>Queen Anne's</b>                              | Before preliminary development application approval.                         |
| <b>St. Mary's</b>                                | Preliminary subdivision plan and final site plan stage.                      |
| <b>Washington</b>                                | Preliminary plan stage.  |

Table A5: 2025 County Exemptions

| LEVEL OF SERVICE EXEMPTIONS<br>County Regulations, 2025 |   |
|---|---|
| County  | Exemptions  |
| Anne Arundel  | <p><u>All</u>: Residential subdivisions if no new dwelling unit potential is created.</p> <p><u>Schools Test</u>: All nonresidential subdivisions development; lots owned by the developer for a minimum of 5 years for no more than five lots or five dwelling units; developments within Parole Town Center if seven conditions are met; developments within Meade Village if six conditions are met; residential developments within Odenton Town Center OTC-C; residential building additions of less than 1,000 square feet within Odenton Town Center and Parole Town Center; residential developments funded in part by low income tax credits if four conditions are met; residential development and redevelopment within the Glen Burnie Sustainable Community Overlay Area if three conditions are met; residential development within transit-oriented overlay development policy areas if five conditions are met; housing for the elderly of moderate means; affordable housing or workforce housing; residential subdivisions restricted to persons 55 years of age or older without resident minor children; residential site development plans for a single-family detached dwelling; agricultural preservation subdivision; dwelling unit, apartment, as an accessory use in a commercial district; and a dwelling, caretaker or resident manager, in a commercial district.</p> <p><u>Roads Test</u>: Nonresidential developments other than building additions of less than 1,000 square feet and tenant improvements in Odenton Town Center and Parole Town Center; redevelopment within the Glen Burnie Sustainable Community Overlay Area if three conditions are met; site development plans for religious facilities that do not contain a private academic school; site development plans for the site of a private academic school in existence on or before May 12, 2005; residential developments within Odenton Town Center OTC-C; residential building additions of less than 1,000 square feet within Odenton Town Center and Parole Town Center; all other residential developments within Odenton Town Center; residential site development plans for a single-family detached dwelling; and developments in the agricultural preservation subdivision.</p> <p><u>Stormwater Test</u>: Nonresidential building additions of less than 1,000 square feet and tenant improvements within Odenton Town Center and Parole Town Center; residential site development plans for a single-family detached dwelling; and developments in the agricultural preservation subdivision.</p> <p><u>Fire Tests</u>: Nonresidential building additions of less than 1,000 square feet and tenant improvements within Odenton Town Center and Parole Town Center; residential building additions of less than 1,000 square feet within Odenton Town Center and Parole Town Center; residential site development plans for a single-family detached dwelling; and developments in the agricultural preservation subdivision.</p> |

| LEVEL OF SERVICE EXEMPTIONS<br>County Regulations, 2025 |  |
|---|--|
| County  | Exemptions   |
| <b>Baltimore</b>  | <p><u>Schools Test</u>: Nonresidential developments; a housing facility or a portion of a housing facility that contains dwelling units that restrict occupancy to persons at least 55 years of age or older or to couples if one spouse is at least 55 years of age or older, and to any person, regardless of age, who has physical or developmental disability; emergency or transitional housing facilities; sheltered housing for the handicapped or disabled; community care centers, nursing homes, continuing care facilities, assisted living facilities, and long-term care facilities; group child-care centers or nursery schools; subdivisions limited to three or fewer units; university based retirement communities; veterans housing and treatment campuses; redevelopment projects that do not increase the number of dwelling units; and purpose built student housing.</p> <p><u>Roads Test</u>: Development of three or fewer single-family detached dwellings; on-site expansions of existing hospitals; health-care and surgery center; development located in a Commercial Revitalization District; and any development located in the Downtown Towson District South Perry Hall–White Marsh Area.</p> <p><u>Open Space Test</u>: Minor subdivisions.</p> |
| <b>Calvert</b>  | <p><u>All</u>: Governmental facilities owned by the State of Maryland, its instrumentalities, the County or a municipality within Calvert County, places of worship and residences for staff, parish halls, and additions to schools associated with places of worship; subdivisions or residential developments which are designated as age-restricted housing communities; a parcel may be subdivided notwithstanding the requirements of this chapter if the parcel contains a historic residence that is designated a Calvert County Historic District and no buildable lots are created; subdivision of more than seven lots, the first three lots to be created for residential purposes from any parcel of record as of February 23, 1988; and subdivisions containing seven or fewer lots shall if certain conditions met.</p> <p><u>Schools Test</u>: Nonresidential developments and redevelopments.</p>   |
| <b>Caroline</b>   | None.  |
| <b>Carroll</b>  | <p><u>All</u>: Off conveyances, including off conveyed lots and remainders; commercial and industrial projects; minor residential subdivisions; government uses of property and improvements; amendments to plats and site plans that do not increase residential density over that already approved; residential subdivisions on property subject to an agricultural land preservation easement; attached and detached accessory dwellings; and final plats and site plans for which the Planning Commission or Department of Planning issued final approval but were not recorded on or before March 5, 1998.</p> <p><u>Schools Test</u>: Provided retirement homes are located within a public water and a public sewer service area.</p>   |
| <b>Charles</b>  | <p><u>Roads and Water Tests</u>: Minor residential subdivisions and nonresidential developments or redevelopments containing less than 1,200 square feet of floor area.</p> <p><u>Schools Test</u>: Retirement housing complexes and residential developments in certain planned development zones which are restricted by deed for the residency of individuals age 55 years or older and further restricted by deed to exclude school-age children from permanently</p>  |

| LEVEL OF SERVICE EXEMPTIONS<br>County Regulations, 2025 |   |
|---|---|
| County  | Exemptions  |
|   | residing on the property.<br><u>Roads Test:</u> Projects including either developments or redevelopments which generate fewer than 35 peak-hour trips per day.  |
| <b>Frederick</b>  | <u>All:</u> Minor residential subdivisions and public safety facilities; the first 5 lots from an original parcel created by resubdivisions occurring after December 1, 1991; and developments receiving preliminary subdivision approval not subject to site plan approval.<br><u>Schools Test:</u> Any project which qualifies as “housing for older persons” and nonresidential developments.<br><u>Roads Test:</u> Developments which are expected to generate 50 or less total vehicle trips during the highest daily peak hour of the adjacent street traffic.<br><u>Sewage Test:</u> Development served by private septic systems.<br><u>Water Test:</u> Development served by individual private wells.   |
| <b>Harford</b>  | <u>Schools Test:</u> Transient housing; housing for the elderly and continuing care retirement communities; and nonresidential developments.<br><u>Roads Test:</u> Developments which generate fewer than 249 trips per day.  |
| <b>Howard</b>   | <u>Roads Test:</u> A nonresidential resubdivision; an exempt governmental facility; a nonresidential final subdivision plan pending on the effective date of this subtitle, April 10, 1992; provided that the plan proceeds to recordation in accordance with the subdivision regulations; a subdivision that does not generate additional traffic; a site development plan for an exempt government facility; a site development plan which does not generate additional traffic; sketch plan was approved before the effective date of this subtitle, April 10, 1992; and minor subdivision plans.<br><u>Schools and Roads Tests:</u> Parcel divisions; subdivisions in agricultural preservation easements for dwellings of the owner or the owner's children or other dwelling lots permitted on agricultural preservation easements; residential subdivisions which do not increase the number of housing units allowed; residential final subdivision plans pending on the effective date of this subtitle, provided that the plan proceeds to recordation in accordance with the subdivision regulations; minor subdivision plans and subdivisions, located in RC and RR zoning districts outside of the planned service area boundary for water and sewer; minor subdivision plans and subdivisions which create the potential of only one additional dwelling unit to be conveyed to an immediate family member or members from a lot existing on April 10, 1992; minor subdivision plans and subdivisions which create the potential of only one additional dwelling unit from an adjoining lot existing before April 10, 1992, for property owners with economic hardships; residential site development plans for single-family attached and detached housing on recorded lots that existed on April 10, 1992; residential site development plans for mobile home parks to which replacement units have been reassigned if the site development plan for the mobile home park is located in the same elementary and middle school districts as the abandoned or permanently closed mobile home park from which the units were reassigned; the sketch plan was approved before the effective date of this subtitle; and residential redevelopment involving a subdivision plan or site development plan that do not increase number of existing housing units on the site, the number of housing units allowed, or the number of mobile home sites |



| LEVEL OF SERVICE EXEMPTIONS<br>County Regulations, 2025 |   |
|---|---|
| County  | Exemptions  |
|   | <p>permitted under the license.</p> <p><u>Schools Test:</u> Residential units that are part of an Urban Renewal project; residential site development plans for multifamily projects which cannot generate children, such as age-restricted adult housing; nursing and residential care facilities; and special affordable housing given certain conditions.</p>  |
| Montgomery  | <p><u>All:</u> Exclusively residential development on a lot or parcel recorded by plat before July 25, 1989, or otherwise recorded in conformance with a preliminary plan approved before that date; any place of worship or use associated with a place of worship that does not generate peak hour vehicle trips that exceed the limits of the Growth and Infrastructure Policy traffic test; and any addition to a school associated with a place of worship that existed before July 25, 1989.</p> <p><u>Schools Utilization Premium Payments:</u> Moderately Priced Dwelling Units and other affordable housing units.</p> <p><u>Transportation Mitigation Payment:</u> All trips generated by any moderately priced dwelling unit (MPDU) and any other low-and moderate-income housing.</p> <p><u>Local Area Transportation Review:</u> Subdivision that generates fewer than 30 net new peak-hour weekday motor vehicle trips; application for preliminary plan, site plan, or building permit that would otherwise require a finding of Adequate Public Facilities is approved after January 1, 2021 and before January 1, 2029 for a facility in which the primary use is bioscience; any property located in the Cherry Hill Employment Area with automobile repair, service, sales, parking, storage, or related office uses; for a development which will be built solely as a public facility; Mixed Income Housing Community; and any development in the North Bethesda Metro Station Policy Area; selected areas in the Potomac Policy Area.</p> |
| Prince George's   | <p><u>Schools Test:</u> nonresidential development; a preliminary plan for subdivision (minor or major) which is a redevelopment project that replaces existing dwelling units; a preliminary plan for subdivision (minor or major) for elderly housing operated in accordance with the State and Federal Fair Housing laws; a preliminary plan for subdivision (minor or major) that consists of no more than three lots on less than five gross acres of land, whose lots, except for one to be retained by grantor, are to be conveyed to a son or daughter or lineal descendant of the grantor; and a preliminary plan for subdivision (minor or major) located in the Transit-Oriented/Activity Center base or PD zones.</p> <p><u>Police Test:</u> Nonresidential development and commercial or industrial applications.</p> <p><u>Fire and Rescue Tests:</u> Commercial or industrial applications.</p> <p><u>Pedestrian and Bikeway Tests:</u> Development outside of RMF-20, RMF-48, NAC,TAC, LTO, RTO-L, RTO-H, CN, CGO, CS, NAC-PD, TAC-PD, LTO-PD, RTO-PD, LMXC, LMUTC, and LCD zones and properties located with Sustainable Growth Tier IV.</p>   |

| LEVEL OF SERVICE EXEMPTIONS<br>County Regulations, 2025 |  |
|---|--|
| County  | Exemptions   |
| <b>Queen Anne's</b>                                     | <p><u>All:</u> Buildings, structures, or facilities necessary to the provision of essential public services; development proposal for which an APF study has been approved pursuant to the former Chapter 28, Interim Adequate Public Facilities Ordinance; nonresidential buildings or uses designed for average water and wastewater demands that do not exceed 250 gallons per day; any nonresidential development proposal that will provide a significant economic benefit to the County; and any development proposal which had received final approval from the Queen Anne's County Planning Commission prior to March 23, 2007.</p> <p><u>Water, Sewer, and Transportation Tests:</u> Residential plans which propose fewer than 20 new lots or units; mixed use and nonresidential development which propose fewer than six new lots or units.</p> <p><u>Water and Sewer Tests:</u> Mixed use and nonresidential development which create fewer than 10,000 square feet of new enclosed floor area to be dedicated to nonresidential uses.</p> <p><u>Transportation Test:</u> Nonresidential site plans which generate fewer than 25 peak hour trips.</p> <p><u>Schools Test:</u> Residential plans which propose seven or fewer new lots or units and age-restricted housing.</p>  |
| <b>St. Mary's</b>                                       | <p><u>All:</u> Residential subdivision that creates no more than two (2) family lots from a parcel or from a lot of record as of September 4, 2008, or a minor site plan for non-residential developments containing less than 5,000 square feet of floor area.</p> <p><u>Schools Test:</u> Proposed development to be developed exclusively for non-residential uses; proposed development to be developed according to federal regulations restricting occupancy in the dwelling units to persons 55 years or older; and a proposed residential subdivision that creates not more than two (2) family lots from a parcel or from a lot of record as of September 4, 2008.</p>  |
| <b>Washington</b>                                       | <p><u>All:</u> Subdivisions which can be approved by the simplified plat procedure.</p> <p><u>Roads Test:</u> Subdivision of an original tract of land into no more than seven (7) lots provided there exists in the original tract of land twenty-five (25) acres per each lot subdivided and the road in front of each lot to be subdivided is no less than sixteen (16) feet; subdivision of land used for transfer to a member of the immediate family of the owner(s) of the original tract of land provided the road width in front of the lots to be subdivided is no less than sixteen (16) feet; and developments in which the Planning Commission finds that extraordinary hardship will result from strict compliance with this Article of the Ordinance because of alteration to existing historic structures, including bridges, as determined by the Historic District Commission.</p> <p><u>Schools Test:</u> New development to be developed exclusively for non-residential uses; new development to be developed and managed according to the applicable regulations and guidelines of the Federal Fair Housing Act and the Housing for Older Persons Act; public or private elementary and secondary schools, and public safety facilities; and minor subdivisions.</p> <p><u>Fire Test:</u> Non-commercial or industrial development; commercial or industrial development substantially outside of the adopted growth area; commercial or industrial development in which a public water supply and distribution system is available or scheduled within two years; and commercial or industrial developments that propose 2,000 square feet or fewer of new enclosed area.</p> |

Table A6: 2025 County School LOS

| LEVEL OF SERVICE STANDARDS<br>County Regulations, 2025 |  |
|--|--|
| County   | Schools  |
| Anne Arundel   | <b>100% of state-rated capacity.</b> Includes future capacity from construction. Does not include temporary or relocatable structures. Automatic approval after 6 years on waiting list. May also be found adequate through a mitigation or phasing plan.  |
| Baltimore  | <b>115% of state-rated capacity</b> until Sep. 30, 2025; 110% of state-rated capacity from Oct. 1, 2025 to Sep. 30, 2028; 105% of state-rated capacity beginning Oct. 1, 2028. Current capacity and up to three-year capacity are measured. Includes constructions, additions, and renovations. Automatic permit issuance after four years following development plan approval. Includes a conditional approval option   |
| Calvert  | <b>100% of local-rated capacity.</b> Does not include relocatable classrooms. Includes CIP within 2 years. Automatic approval given after six years after the date of preliminary approval. Can provide infrastructure funds, improve facilities, or donate facilities.  |
| Caroline   | <b>Does not specify.</b>   |
| Carroll  | <b>Equal to or fewer than 109% of state-rated capacity is adequate.</b> 110% to 119% is approaching inadequacy and equal to or greater than 120% is inadequate. If facilities are inadequate but a relief facility is planned in the 6-year CIP <u>or</u> approaching inadequacy during current CIP, the Commission may conditionally approve the plan subject to recordation schedule and permit reservation modifications. If approaching inadequacy, building permit caps may be set. Approval may still be allowed if inadequate or approaching inadequate if a relief facility is planned to address the inadequacy, if the developer provides mitigation, or if the Board has determined that exceptional circumstances exist to allow the approval. |
| Charles  | <b>110% of state-rated capacity.</b> Includes capacity provided by CIP and relocatable classrooms. Developments enter a transition provision after six years on the eligibility waiting list. Priority development projects receive school allocations on a first come first serve basis.  |
| Frederick  | <b>100% of state-rated capacity.</b> Includes CIP within 2 years. Can request redistricting as an alternative. Has a school construction fee option.   |
| Harford  | <b>110% of state-rated capacity.</b> Current capacity and up to three-year capacity are measured. Placed on a waiting list for conditional approval if inadequate. Includes CIP within 2 years.  |
| Howard   | <b>Open/closed chart defined by Howard County Public School System.</b> Includes both state and local capacities. When a school/school region reaches 95% capacity and is projected to exceed 100% capacity within five years, a joint special work meeting is held by the County Council.   |
| Montgomery   | <b>105% utilization standard</b> and 74 seat deficit standard for ES, 120 for MS, and 160 for HS. Schools exceeding adequacy will require  |

| LEVEL OF SERVICE STANDARDS<br>County Regulations, 2025 |  |
|--|--|
| County   | Schools  |
|  | mitigation in the form of a Utilization Premium Payment, with three tiers. Includes CIP.   |
| <b>Prince George's</b>                                 | <b>105% of state-rated capacity.</b> Includes a schools facility surcharge option.   |
| <b>Queen Anne's</b>                                    | <b>100% of state-rated capacity.</b> Includes CIP within 2 years. Includes a mitigation plan option, but cannot include temporary or portable classrooms.  |
| <b>St. Mary's</b>                                      | <b>107% state-rated capacity for ES, 109% for MS, and 116% for HS.</b> Current capacity and up to three-year capacity are measured. Includes CIP within 3 years.   |
| <b>Washington</b>                                      | <b>90% of state-rated capacity for ES, 100% for MS and HS.</b> Includes an option for an Alternative Mitigation Contribution if under 120% of state-rated capacity. Includes a redistricting option. Includes a mitigation plan. |

Table A7: 2025 County Road and Transportation LOS

| LEVEL OF SERVICE STANDARDS<br>County Regulations, 2025 |   |
|--|---|
| County   | Roads/Transpo   |
| Anne Arundel   | <p><b>General standards</b></p> <p>1) The development creates 50 or fewer daily trips <u>or</u></p> <p>2) the road facilities operate at or above the minimum of "D" LOS <u>and</u> road facilities will have an adequacy rating of not less than 70 as defined by the Anne Arundel County road rating program <u>or</u> has been found by the County to be adequate with respect to road capacity, alignment, sight distance, structural condition, design, and lane width <u>or</u></p> <p>3) the developer has an approved mitigation plan</p> <p><b>Parole Town Center</b></p> <p>1) The development creates 250 or fewer daily trips <u>or</u></p> <p>2) each intersection from site access points operates with a peak hour level of service "D" or better <u>and</u> intersections identified by the Office of Planning operate with a peak hour level of service "D" or better (Core may operate at "E" or better) <u>or</u></p> <p>3) the developer has an approved mitigation plan</p> <p><b>Glen Burnie Sustainable Community Overlay Area</b></p> <p>1) The development creates 250 or fewer new daily trips <u>or</u></p> <p>2) each intersection from site access points operates with a peak hour critical lane volume of less than 1,450</p> <p><b>Odenton Town Center</b></p> <p>1) The development creates 250 or fewer daily trips <u>or</u></p> <p>2) each intersection from site access points operates at a peak hour level of service of "D" or better (OTC-C zoning district can operate at "E" or better")</p> <p>3) the developer has an approved mitigation plan</p> |
| Baltimore  | LOS below "E" or "F" for arterial and arterial collector intersections. Adequacy standard only applies to nonindustrial development.  |
| Calvert  | Each lane and lane approach for roadways in the impact area must operate at or above LOS "C" using the highway capacity method. Road segments or intersections within the proposal's traffic impact study below "E" or "F". Includes a mitigation option.   |
| Caroline   | All subdivisions shall have access from a County road or state highway adequate to meet existing and projected traffic loads. Off-site road access shall not be hazardous or unsafe by virtue of inadequate sight distances, width, vertical alignment, horizontal alignment, drainage, surfacing, grades or cross section. Any County road paved after March 18, 1980 on less than a fifty-foot right-of-way shall be inadequate to provide access to a major subdivision, rural major subdivision or planned development.   |

| LEVEL OF SERVICE STANDARDS<br>County Regulations, 2025 |   |
|--|---|
| County   | Roads/Transpo   |
| <b>Carroll</b>   | Adequacy is defined as LOS "C" or better for road segments and intersections within the traffic impact study area for the proposed project. Approaching inadequacy is defined as LOS "D" for road segments and intersections within the traffic impact study area. If facilities are inadequate but a relief facility is planned in the 6-year CIP <u>or</u> approaching inadequacy during current CIP, the Commission may conditionally approve the plan subject to recordation schedule and permit reservation modifications. If approaching inadequacy, building permit caps may be set. Approval may still be allowed if inadequate or approaching inadequate if a relief facility is planned to address the inadequacy, if the developer provides mitigation, or if the Board has determined that exceptional circumstances exist to allow the approval. |
| <b>Charles</b>   | The Planning Director reserves the right to evaluate each existing road segment on an individual basis and make a determination of the level of study required prior to approval of additional development by the Planning Commission. Includes a mitigation option.<br><b>Waldorf Transportation District Routes:</b> LOS "D"<br><b>Development District:</b> LOS "C"<br><b>Residential/Commercial Villages:</b> LOS "C"<br><b>Rural/Agricultural Areas:</b> LOS "B"   |
| <b>Frederick</b>                                       | Consider bicycle and pedestrian facilities. Includes a conditional approval option if the developer agrees to provide the necessary improvements.<br><b>For developments expected to generate greater than 100 total vehicle trips during the highest daily peak hour of the adjacent street traffic:</b> LOS "D" or better for signalized intersections and roundabouts and LOS "D" or better for other roadway links, unsignalized intersections, and corridors.<br><b>For developments expected to generate 100 or fewer total vehicle trips:</b> LOS "E" or better for signalized intersections and roundabouts located within growth area, LOS "D" or better for signalized intersections and roundabouts located outside of growth area, and LOS "D" or better for other roadway links, unsignalized intersections, and corridors.                      |
| <b>Harford</b>   | LOS "D" or higher for existing County and state roads within the development envelope and LOS "C" for existing County and state roads outside the development envelope. Includes conditional approval for those not reaching adequacy.  |
| <b>Howard</b>  | Minimum LOS "D" for county roads, excluding Downtown Columbia. Minimum LOS "E" for state roads. In Downtown Columbia, the intersection standard is up to 1,600 CLV for all intersections as specified in the Howard County Design Manual. Includes a mitigation plan. Developments in Downtown Columbia are also required to have adequate pedestrian and bicycle facilities.   |

| LEVEL OF SERVICE STANDARDS<br>County Regulations, 2025 |  |
|--|--|
| County   | Roads/Transpo  |
| Montgomery   | <p><b>Motor Vehicle Adequacy:</b><br/> <i>Intersections in Yellow or Green Policy areas:</i> Critical Lane Volume of 1,350 or less.<br/> <i>All intersections in Orange policy areas and intersections in Yellow or Green policy areas with a CLV greater than 1,350:</i> subject to Highway Capacity Manual Standards outlined in section TL1.1 Table T2.<br/> <i>Red:</i> Not applied in Red policy areas or in designated downtowns.<br/> Includes a mitigation plan.</p> <p><b>Non-motor Vehicle Adequacy:</b> Pedestrian Level of Comfort of "Somewhat Comfortable" or "Very Comfortable". Follow MCDOT streetlight and illuminance standards and ADA compliance. Low or Very Low Level of Traffic Stress for bikes, and ADA-accessible bus shelters and amenities. Scope of testing based on the net new peak-hour weekday motor vehicle trips found in section TL2.2 Table T4. Includes a mitigation plan</p> |
| Prince George's  | <p><b>Motor vehicle adequacy:</b><br/> <i>RTO and LTO base and PD zones:</i> "Edge" - critical lane volume of 1601-1800, "Core" - critical lane volume of 1801-2000, may provide a financial contribution to implement a management program.<br/> <i>Transportation Service Area 1:</i> LOS "E" (critical lane volume of 1451-1600).<br/> <i>Transportation Service Area 2:</i> LOS "D" (critical lane volume of 1301-1450).<br/> <i>Transportation Service Area 3:</i> LOS "C" (critical lane volume of 1151-1300).</p> <p><b>Non-motor vehicle adequacy:</b><br/> <i>RMF-20, RMF-48, NAC, TAC, LTO, RTO-L, RTO-H, CN, CGO, CS, NAC-PD, TAC-PD, LTO-PD, RTO-PD, LMXC, LMUTC, and LCD zones:</i> adequate pedestrian and bikeway facilities exist or will be constructed by the applicant as outline by the Transportation Review Guidelines.</p>  |
| Queen Anne's   | <p><b>Inside designated growth areas:</b> LOS "C" or above for peak hours, although LOS "D" is allowed given a mitigation plan.<br/> <b>Outside designated growth areas:</b> LOS "B" for peak hours.</p>   |
| St. Mary's   | <p>Roads serving the project are a minimum of 18 feet wide and are or will be capable of accommodating existing and projected traffic traffic <u>or</u> CIP within the next year includes additional roads or road improvements necessary <u>or</u> the developer will undertake construction or road improvements. Developments located within designated revitalization and/or development districts will be allowed to proceed if roads are unacceptable given that improvements are made.</p> <p><b>Development districts:</b> LOS "D".<br/> <b>Town Centers and Village Centers:</b> LOS "C".<br/> <b>Rural preservation district:</b> LOS "C".</p>   |

| LEVEL OF SERVICE STANDARDS<br>County Regulations, 2025 |  |
|--|--|
| County   | Roads/Transpo  |
| Washington   | <p>Road segments: LOS "D".</p> <p>Intersections in Urban and Town Growth Areas: LOS "D".</p> <p>Intersections in all other areas: LOS "C".</p> <p>State highway: LOS "D",</p> <p>Includes county CIP within 2 years and state improvements within 6 years.</p> |



Table A8: 2025 County Water LOS

| LEVEL OF SERVICE STANDARDS<br>County Regulations, 2025 |  |
|--|--|
| County   | Water  |
| Anne Arundel   | The development will either have a private water supply system approved by the appropriate State and County authorities <u>or</u> source facilities have sufficient available capacity to provide maximum day demand. Storage tanks have sufficient available capacity to provide peak hour demand in addition to fire flow. Local pumping stations have sufficient available capacity to provide maximum day demand or with sufficient capacity to provide for fire flow, <u>and</u> the distribution system is capable of providing normal required pressure and minimum residual pressure under fire flow. May also be found adequate through a mitigation or phasing plan.   |
| Baltimore  | <p><b>Properties located in the metropolitan district</b></p> <p>Water volume and pressure shall be adequate to extinguish fires in any building on a tract that is to be served by public water-supply facilities. Fire hydrants shall be provided in sufficient numbers and at appropriate locations to serve firefighting needs. Developments not served by a public water system shall have residual water pressure at the public fire hydrant nearest the site of the proposed nonindustrial development must meet the standards established by the National Board of Fire Underwriters fire flow test.</p> <p><b>Properties located outside of the metropolitan district</b></p> <p>The minimum water well yield shall equal a recovery rate of 1 gallon per minute. Water supply shall meet the requirements of the State Department of Health and Mental Hygiene as to bacteriological and chemical quality. The development shall follow the Fire Code.</p> |
| Calvert  | The sum of the maximum day demand of the proposed project and existing usage is less than 90% of the supplying system's production and conveyance capacity <u>and</u> fire flow is not made inadequate at any existing location where flow is adequate prior to the proposal <u>and</u> fire flow is met at the proposed project. Includes a mitigation option.  |
| Carroll  | The maximum day demand is less than 85% of the total system production capacity. Approaching inadequacy if the projected maximum day demand is equal to or greater than 85% but less than 95% of the total system production capacity. Inadequate if projected maximum day demand is equal to or greater than 95% of the total system production capacity. If facilities are inadequate but a relief facility is planned in the 6-year CIP <u>or</u> approaching inadequacy during current CIP, the Commission may conditionally approve the plan subject to recordation schedule and permit reservation modifications. If approaching inadequacy, building permit caps may be set. Approval may still be allowed if inadequate or approaching inadequate if a relief facility is planned to address the inadequacy, if the developer provides mitigation, or if the Board has determined that exceptional circumstances exist to allow the approval.                |
| Charles  | If connected to a public water system, adequacy of the system shall be studied including issues of line size, capacity, looping, fire protection, and ultimate system design. If utilizing groundwater from wells, the applicant shall demonstrate no adverse impact on adjacent properties, based on the 80% safe yield management level as permitted by the Maryland Department of Natural Resources,  |

| <b>LEVEL OF SERVICE STANDARDS</b><br><b>County Regulations, 2025</b> |   |
|--|---|
| <b>County</b>  | <b>Water</b>  |
|  | Water Rights Division. Includes a mitigation option.  |
| <b>Frederick</b>   | Source facilities, storage tanks, and local pumping stations have sufficient available capacity to provide maximum day demand to the proposed development and meet peak hour demand in addition to fire flow <u>and</u> the distribution system is capable of providing normal required pressure as well as minimal residual pressure to the proposed development <u>or</u> if improvements to or construction of facilities are scheduled in the first 2 years of the CIP. Includes a conditional approval and developer option.   |
| <b>Harford</b>   | The water distribution system is capable of providing the required pressures and flow during the maximum day demand and the minimum required pressures for fire flows <u>and</u> booster stations and/or transmission mains in the service area have sufficient available capacity to provide maximum day demand and minimum required pressure for fire flow to the proposed development <u>and</u> storage tanks in the service area have sufficient available capacity to provide peak hour demand in addition to fire flow <u>and</u> source and treatment facilities in the service area have sufficient available capacity to provide maximum day demand <u>or</u> if project are funded for the improvement of facilities <u>or</u> if the developer constructs improvements. Includes a conditional review option. |
| <b>Howard</b>  | There is an adequate community water system currently available or where contracts have been let to make an adequate community water system available. If not available currently, conditions are outlined for mitigation steps. Shall comply with the Capital Improvement Master Plan for Water and Sewerage. The amount of available capacity of water to each residential unit shall be an amount equal to the residential maximum average annual daily flow of water for the preceding calendar year divided by the total number of residential connections as of the end of the highest quarterly use period of the preceding year.  |
| <b>Montgomery</b>  | Applications must be considered adequately served by water and sewerage if the subdivision is located in an area in which water and sewer service is presently available, is under construction, is designated by the County Council for extension of service within the first two years of a current approved Comprehensive Water and Sewerage Plan, or if the applicant provides a community water system or meets Department of Permitting Services requirements for well systems.   |
| <b>Queen Anne's</b>  | <p><b>Properties served by central water</b><br/>Valid consumption permit issued to the county by the Maryland Department of the Environment <u>or</u> a mitigation plan is proposed to provide for advanced facilities. Adequate water treatment and storage capacity <u>or</u> a mitigation plan is proposed to construct or dedicate water treatment and/or storage capital improvements.</p> <p><b>Properties not served by central water</b><br/>Meets the standards and requirements of the Department of Environmental Health. On-site wells shall be inspected and approved by the Department of Environmental Health.</p>  |

| LEVEL OF SERVICE STANDARDS<br>County Regulations, 2025 |   |
|--|---|
| County   | Water   |
| <b>St. Mary's</b>                                      | Meets the applicable requirements of the Maryland Department of the Environment, the St. Mary's County Health Department, and the St. Mary's County Metropolitan Commission regulations. All residential subdivisions of 25 lots or more and developments must be connected to a public water system. Developments in the Development Districts, Town Centers, and Village Centers that are designated for service under the Comprehensive Water and Sewerage Plan must be served by a public water system. Any development not required to connect to a public water system may be served by an individual well.   |
| <b>Washington</b>                                      | Adequacy of an on-site water supply distribution system shall be evaluated by a Maryland Registered Professional Engineer and determined by the Planning Commission upon recommendation by the Washington County Health Department. Adequacy of an existing public or multi-use water supply and distribution system shall be evaluated by a Registered Professional Engineer and determined by the Planning Commission upon consideration of the recommendations made by the Hagerstown Water Department, the Washington County Water & Sewer Department, municipal government, and other properly established agencies. Adequacy of a new community or multi-use water supply and distribution system shall be determined by the Planning Commission upon recommendations by the Hagerstown Water Department, the Washington County Water & Sewer Department, and the Maryland Department of Environment shall consider water source, quality, distribution or collection system, treatment system, pumping facilities, and metering devices. |

Table A9: 2025 County Sewer LOS

| LEVEL OF SERVICE STANDARDS<br>County Regulations, 2025 |   |
|--|---|
| County   | Sewer   |
| Anne Arundel   | Private sewerage system approved by State and County authorities <u>or</u> a public community sewerage system shall be considered adequate if the lateral systems, interceptors, pumping stations and force mains, and water reclamation facilities have available capacity to accommodate expected and ultimate peak flows from the proposed subdivision. May also be found adequate through a mitigation or phasing plan.   |
| Baltimore  | <p><b>Properties in the metropolitan district</b><br/>The maximum level of non-industrial development per sewage area shall not be greater than that capable of being provided with available sewerage capacity based on the county's share of the maximum reserve capacity of the sewerage in the area minus the daily quantity of sewage from any industrial buildings for which permits are expected to be issued <u>and</u> the sewage yield standards which have been established for various types of residential and commercial uses.</p> <p><b>Properties not served by a public sewer system</b><br/>Proposed public or private sewage facilities shall be designed and located to function safely and without danger of contaminating groundwater, surface water, or public or private water supplies.</p>  |
| Calvert  | The receiving facility is adequate if the sum of the existing and the proposed project's annual average daily flow is less than 90% of the receiving system's permitted and authorized treatment capacity. Includes a mitigation option.  |
| Carroll  | The projected annual average daily flow is less than 85% of the wastewater treatment facility permitted capacity. Approaching inadequacy if the projected annual average daily flow is greater than or equal to 85% but less than 95% of the wastewater treatment facility permitted capacity. Inadequate if the projected annual average daily flow is greater than or equal to 95% of the wastewater treatment facility permitted capacity. If facilities are inadequate but a relief facility is planned in the 6-year CIP or approaching inadequacy during current CIP, the Commission may conditionally approve the plan subject to recordation schedule and permit reservation modifications. If approaching inadequacy, building permit caps may be set. Approval may still be allowed if inadequate or approaching inadequate if a relief facility is planned to address the inadequacy, if the developer provides mitigation, or if the Board has determined that exceptional circumstances exist to allow the approval. |
| Frederick  | A sewerage system shall be considered adequate if the systems designed to serve the proposed development are sufficient to accommodate ultimate peak flows. Also considered adequate if improvements are scheduled in the first 2 years of the CIP. Includes a conditional approval and developer option  |

| <b>LEVEL OF SERVICE STANDARDS</b><br><b>County Regulations, 2025</b> |   |
|--|---|
| <b>County</b>  | <b>Sewer</b>  |
| <b>Harford</b>   | The County sewerage system shall be considered adequate if the collector system, interceptors, pumping stations and force mains, and treatment plants have sufficient available capacity to accommodate expected annual average and maximum daily loadings from the proposed development. Shall also be considered adequate if there are funded projects for the improvement of the facilities or if the developer agrees to construct the improvements to the system.  |
| <b>Howard</b>  | A community sewer system is defined as adequate if the system has unused capacity available for allocation. The required improvements for the approval of lots for sewage disposal vary according to the planned service time frame designation in the county water and sewerage plan. Shall also comply with the Capital Improvement Master Plan for Water and Sewerage. The amount of available capacity of wastewater to each residential unit shall be an amount equal to the residential maximum average annual daily flow of wastewater for the preceding calendar year divided by the total number of residential connections as of the end of the highest quarterly use period of the preceding year. |
| <b>Montgomery</b>  | Applications must be considered adequately served by water and sewerage if the subdivision is located in an area in which water and sewer service is presently available, is under construction, is designated by the County Council for extension of service within the first two years of a current approved Comprehensive Water and Sewerage Plan, or if the applicant provides a community sewerage system or meets Department of Permitting Services requirements for septic systems.  |
| <b>Queen Anne's</b>  | <p><b>Properties served by central sewer</b><br/> Adequate sewer treatment must be available to serve the proposed development. Determinations regarding the adequacy of sewer facilities shall be based on wastewater generation demands adopted by the Department of Public Works.</p> <p><b>Properties not served by central sewer</b><br/> The proposed development can meet the standards and requirements of the Department of Environmental Health.</p>  |

| LEVEL OF SERVICE STANDARDS<br>County Regulations, 2025 |   |
|--|---|
| County   | Sewer   |
| St. Mary's   | <p><b>Community Sewerage System</b><br/>The system meets the requirements of the applicable Maryland Department of the Environment regulations <u>and</u> those of the St. Mary's County Metropolitan Commission <u>and</u> the public sewerage collection system serving the project will be complete and ready for connection <u>and</u> either an existing treatment facility is available to accommodate the volume of sewage to be generated <u>or</u> a new or expanded facility will be available to accommodate the existing sewage flow and the anticipated sewage flow or the Metropolitan Commission has programmed for construction to meet projected needs <u>or</u> the applicant agrees to undertake the construction of the sewer system improvements required to meet projected needs <u>or</u> the applicant agrees to contribute an amount acceptable to the Metropolitan Commission to the financing of specific improvements.</p> <p><b>Multi-user/Individual Sewerage System</b><br/>Meets applicable Maryland Department of the Environment requirements and the County Health Department regulations.</p> |
| Washington   | All new subdivisions shall be served by adequate sewage disposal systems. Adequacy of an individual, on- site septic disposal system or a community or multi-use sewage disposal system shall be determined by the Planning Commission after receiving the recommendation and evaluation by the responsible review agency. Adequacy shall be evaluated according to the review agency's adopted guidelines, standards and policies. All parts of the sewage disposal system affected by the projected flow shall be considered in the evaluation.   |

Table A10: 2025 County Stormwater LOS

| LEVEL OF SERVICE STANDARDS<br>County Regulations, 2025 |  |
|--|--|
| County   | Stormwater Drainage  |
| <b>Anne Arundel</b>                                    | A storm drain system shall be considered adequate if: (1) the on-site drainage system and stormwater management system includes environmental site design to the maximum extent practicable, and is capable of conveying through and from the property the design flow of stormwater runoff originating in the subdivision to an adequate outfall; and (2) the off-site drainage systems are capable of conveying to an adequate outfall the design flow of storm water originating in the subdivision. May also be found adequate through a mitigation or phasing plan. Includes projects the County has awarded a contract for the construction or improvement of.   |
| <b>Baltimore</b>                                       | The proposed drainage facilities shall be adequate to accommodate the amount of runoff that would be generated by the proposed development and the entire upstream area if the area were fully developed in accordance with County zoning regulations. Development must not increase the extent of the floodplain on neighboring properties.   |
| <b>Calvert</b>   | (1) On-site stormwater drainage system installed by the developer will be capable of conveying through and from the property the design flow of stormwater runoff originating in the development during a two-, ten-, and 100-year flood, in addition to flows from undeveloped land upstream in the natural watershed of the proposed project, flows from existing upstream developments, and design flows from developments for which plats and plans have been approved, without resulting in erosion, sedimentation or flooding of the receiving channel and downstream properties; and (2) off-site downstream public drainage systems are capable of conveying to an acceptable outfall the design flow of stormwater runoff originating in the development, in addition to flows from undeveloped land upstream in the natural watershed of the proposed project, flows from existing upstream developments, and design flows from developments for which plats and plans have been approved, without resulting in erosion, sedimentation or flooding of the receiving channel and downstream properties. Includes projects the County has awarded a contract for the construction or improvement of. Includes a mitigation option. |
| <b>Caroline</b>  | All subdivisions shall have a drainage outlet adequate in size and grade to efficiently remove stormwater and provide drainage for roads and all lots. The County Engineer shall advise the Planning Commission as to whether an adequate drainage outlet exists.  |

| <b>LEVEL OF SERVICE STANDARDS</b><br><b>County Regulations, 2025</b> |   |
|--|---|
| <b>County</b>  | <b>Stormwater Drainage</b>  |
| <b>Howard</b>  | <p>Stormwater facilities shall be considered adequate if approved subdivision plans and site development plans comply with all applicable requirements including, but not limited to, the standards established in section 16.133 ("Storm drainage") and title 18 ("Public Works"), subtitles 5 ("Storm Drainage Systems") and 9 ("Stormwater Management") of the County Code.</p> <p><b>Section 16.133</b></p> <p>(1) The developer shall construct storm drains to handle on-site runoff; and (2) The developer shall provide on-site drainage easements; and (3) the developer shall provide off-site drainage easements; and (4) the developer shall provide for the handling of off-site runoff to an acceptable outlet in the same watershed pursuant. Developers shall do one of the following for all subdivisions: (1) Provide for the construction of all necessary drainage structures through and between the developer's subdivision and an acceptable outlet in the same watershed; or (2) If all or part of the necessary drainage structures between the developer's subdivision and an acceptable outlet in the same watershed has been provided by another developer, the developer of the proposed subdivision shall pay the County an off-site drainage fee; or (3) pay the County an off-site drainage fee prior to recordation of the plat.</p> |
| <b>St. Mary's</b>  | <p>A storm drainage system shall be considered adequate if: (1) the on-site drainage system installed by the developer will be capable of conveying through and from the property the design flow of stormwater runoff originating in the development during a 1, 10-, an 100-year flood; and (2) on-site and off- site drainage systems will be capable of conveying flows from the development, undeveloped land upstream in the natural watershed, flows from existing and approved developments, without resulting in erosion, sedimentation or flooring of the receiving channel and downstream properties.</p>  |



*Table A11: 2025 County Healthcare LOS*

| LEVEL OF SERVICE STANDARDS<br>County Regulations, 2025 |   |
|--|---|
| County   | Healthcare  |
| Montgomery County                                      | Programmed services must be considered adequate for facilities such as police stations, firehouses, and health clinics unless there is evidence that a local area problem will be generated. Such a problem is one which cannot be overcome within the context of the approved Capital Improvements Program and operating budgets of the relevant agencies. |

Table A12: 2025 County Fire/EMS LOS

| LEVEL OF SERVICE STANDARDS<br>County Regulations, 2025 |   |
|--|---|
| County   | Fire/EMS  |
| <b>Anne Arundel</b>                                    | A development passes the test for adequate fire suppression facilities if in the scheduled completion year of the development the public water supply system, or a private fire protection water supply system approved by the Office of Planning and Zoning after consultation with the reviewing agencies, will be capable of providing adequate fire-flow. May also be found adequate through a mitigation or phasing plan.  |
| <b>Calvert</b>   | For fire and EMS services to be deemed adequate, each of these conditions must be met: (1) Fire incident response time to the first due response subarea for the arrival of an initial company shall be within a ten-minute response time to at least 90% of incidents dispatched, as measured annually. (2) A public water system or private community water system will be adequate if, given existing connections and future connections from proposed projects utilizing that system if the requirements of Calvert County Code § 44-15, as amended from time to time, are met. (3) EMS incident response time to the box where development or redevelopment is proposed for a BLS unit with AED shall be within a ten-minute response time to at least 90% of incidents dispatched, as measured annually. (4) EMS incident response time to the box area where development is proposed for the arrival of an ALS unit shall be within a ten-minute response time to at least 90% of incidents as measured annually. (5) The approved full-time equivalents (FTEs) assigned to take 9-1-1 calls and dispatch emergency responders meets or exceeds the FTEs recommended by the NENA staffing tool, as amended from time to time. (6) The County has a sufficient number of call takers and equipment to consistently answer incoming calls on a daily average of 10 seconds or less. Includes a mitigation option |
| <b>Caroline</b>  | Fire protection services and facilities for the area in which the subdivision is located shall be adequate to protect the lives and property of the residents of the subdivision. Where it deems necessary, the Planning Commission shall request an evaluation from the appropriate authority as to the adequacy of the fire protection services and facilities.   |

| <b>LEVEL OF SERVICE STANDARDS</b><br><b>County Regulations, 2025</b> |  |
|--|--|
| <b>County</b>  | <b>Fire/EMS</b>  |
| <b>Carroll</b>   | <p><b>Fire and emergency medical services are adequate if:</b> (1) the projected total number of late and no responses is less than 15%, and the total number of no responses is less than 4% measures on a quarterly basis; (2) using an average over the previous 24 months, response time is 8 minutes or less from time of dispatch to on-scene arrival with adequate apparatus and personnel; and (3) all bridges and roads for the most direct route or acceptable secondary route to the project site are adequate to support fire and emergency apparatus.</p> <p><b>Services are approaching inadequacy if:</b> (1) Either the total number of late and no responses equals or exceeds 15%, or the total number of no responses equals or exceeds 4% measured on a 24-month basis, updated monthly, but not both; or (2) Using an average over the previous 24 months, response time is between eight and ten minutes from time of dispatch to on-scene arrival with adequate apparatus and personnel.</p> <p>If facilities are inadequate but a relief facility is planned in the 6-year CIP or approaching inadequacy during current CIP, the Commission may conditionally approve the plan subject to recordation schedule and permit reservation modifications. If approaching inadequacy, building permit caps may be set. Approval may still be allowed if inadequate or approaching inadequate if a relief facility is planned to address the inadequacy, if the developer provides mitigation, or if the Board has determined that exceptional circumstances exist to allow the approval.</p> |
| <b>Charles</b>   | A major subdivision having a W6 water service category must have an existing water source with all- weather access within four round-trip miles driving distance and accessible to the fire department using no more than 20 feet of hard sleeve. Includes a mitigation option   |
| <b>Harford</b>   | Annual growth report shall include an analysis of the need for additional fire and public safety services based on the County's population and a list of approved capital projects related to fire or public safety facilities. Approval may or may not be subject to these findings.  |
| <b>Montgomery</b>  | Programmed services must be considered adequate for facilities such as police stations, firehouses, and health clinics unless there is evidence that a local area problem will be generated. Such a problem is one which cannot be overcome within the context of the approved Capital Improvements Program and operating budgets of the relevant agencies.  |
| <b>Prince George's</b>   | (1) The population and/or employees generated by the proposed subdivision at each stage of the proposed subdivision must be within the adequate coverage area of the nearest fire and rescue station(s) as determined by the Planning Board guidelines; (2) A statement from the fire chief reflecting adequate equipment in accordance with studies and regulations used by the County, or the Public Safety Master Plan for fire stations in the vicinity of the area where the subdivision is proposed to be located; and (3) the response time for the first due fires and rescue station in the vicinity of the proposed subdivision is a maximum of seven minutes travel time. May also be adequate if an adequate fire and rescue station(s) available to serve the population and/or employees generated by the proposed subdivision has been programmed with 100 percent of the construction expenditures within the Capital Improvement Program, unless the construction of such improvements has not commenced within 9 years after the project is fully funded. Includes phasing and funding options.  |

| <b>LEVEL OF SERVICE STANDARDS</b><br><b>County Regulations, 2025</b> |  |
|--|--|
| <b>County</b>  | <b>Fire/EMS</b>  |
| <b>Queen Anne's</b>  | The County Commissioners shall consider a report that identifies whether the capacity of Fire and EMS based on existing and planned capital improvements are adequate to (1) serve the fire protection and emergency medical services (EMS) needs of existing and projected residents and employees in the County, (2) the level of service standards recognized by the Board of County Commissioners for fire and EMS services, and (3) take into consideration the capacity of capital improvements operated by both the County and the Volunteer Fire/EMS Districts.  |
| <b>St. Mary's</b>  | The proposed development shall be considered adequately served by fire suppression facilities if: (1) it is served by an approved public (central) water supply system or multi-user water supply system capable of providing fire flow in accordance with the County standards; or (2) proposed development is served by private wells with fire flow and storage capabilities in accordance with the NFPA 1142 standard, and water for fire suppression shall be available within 1,000 feet of all single buildings under 12,000 sq. ft. area and on site for all single buildings over 12,000 sq. ft. area.  |
| <b>Washington</b>  | The County requires adequate interim fire protection systems in new commercial and industrial developments which are located in designated urban or town growth areas where public water service is not anticipated within two years. This interim fire protection system must be capable of providing the same level of fire protection as if it were connected to a public water system. The adequacy of an interim fire protection system shall be determined by the Planning Commission after receiving recommendations from various County and city departments. Standards established by the Maryland State Fire Marshal shall be used in the review and approval of the interim fire protection system. |

Table A13: 2025 County Police LOS

| LEVEL OF SERVICE STANDARDS<br>County Regulations, 2025 |   |
|--|---|
| County   | Police  |
| <b>Carroll</b>   | Police services are adequate if the projected ratio of sworn law enforcement officers to population is 1.3:1000. Police services are approaching inadequate if the projected ratio of sworn law enforcement officers to population is between 1.2-1.3:1000. If facilities are inadequate but a relief facility is planned in the 6-year CIP or approaching inadequacy during current CIP, the Commission may conditionally approve the plan subject to recordation schedule and permit reservation modifications. If approaching inadequacy, building permit caps may be set. Approval may still be allowed if inadequate or approaching inadequate if a relief facility is planned to address the inadequacy, if the developer provides mitigation, or if the Board has determined that exceptional circumstances exist to allow the approval  |
| <b>Harford</b>   | Annual growth report shall include an analysis of the need for additional fire and public safety services based on the County's population and a list of approved capital projects related to fire or public safety facilities. Approval may or may not be subject to these findings.   |
| <b>Montgomery</b>                                      | Programmed services must be considered adequate for facilities such as police stations, firehouses, and health clinics unless there is evidence that a local area problem will be generated. Such a problem is one which cannot be overcome within the context of the approved Capital Improvements Program and operating budgets of the relevant agencies.   |
| <b>Prince George's</b>                                 | The population and/or employees generated by the proposed subdivision at each stage of the proposed subdivision must not exceed the service capacity of existing police stations as determined by the Planning Board guidelines; or an adequate police facility available to serve the population and/or employees generated by the proposed subdivision has been programmed with 100 percent of construction expenditures within the Capital Improvement Program. The Chief of Police shall also submit the following information on an annual basis: (1) A statement reflecting adequate equipment pursuant to studies and regulations used by the County, or the Public Safety Master Plan for police stations in the vicinity of the area of the proposed subdivision; and (2) the rolling 12-month average, adjusted monthly, for response times in the vicinity of the proposed subdivision is a maximum of 25 minutes total for non-emergency calls and a maximum of 10 minutes total for emergency calls for service. |

Table A14: 2025 County Solid Waste LOS

| LEVEL OF SERVICE STANDARDS<br>County Regulations, 2025 |   |
|--|---|
| County   | Solid Waste   |
| <b>Calvert</b>   | To be deemed adequate, the additional waste generated by the development or redevelopment will not cause the Appeal Transfer Center to exceed 70% of its approved and permitted capacity. Includes a mitigation option.   |
| <b>Caroline</b>  | Solid waste facilities serving the area in which the subdivision is located shall be adequate to handle the additional waste generated by the residents of the subdivision. Includes a mitigation option.   |
| <b>Howard</b>  | Solid waste facilities shall be considered adequate if approved subdivision plans and site development plans comply with all applicable requirements including, but not limited to, the Capital Improvement Master Plan for Solid Waste as defined in section 18.600A of the County Code. |

Table A15: 2025 County Parks & Recreation LOS

| LEVEL OF SERVICE STANDARDS<br>County Regulations, 2025 |   |
|--|---|
| County   | Parks and Rec   |
| <b>Baltimore</b>                                       | An applicant shall provide a minimum of 1,000 square feet of open space per residential dwelling unit either on-site or off-site. Includes a fee payment option.  |
| <b>Prince George's</b>                                 | <p>Includes a mitigation option.</p> <p><b>Transit Oriented/Activity Center Zones + Employment Areas</b><br/>           2.5 acres of improved public parks per 1,000 residents. 0.5 acres per 1,000 residents for small urban parks; one acre per 1,000 residents for larger urban parks; one acre per 1,000 residents for greenways, linear parks, and special facilities.</p> <p><b>All other areas</b><br/>           Fifteen acres of improved public parks per 1,000 residents in all other areas.</p> |

## Appendix B - 2025 Municipal APFOs

Table B1: 2025 Municipal APFO Status

***Note:** The municipalities noted with an asterisk in the table below have adopted APFOs with review methodologies or specific level of service standards identified within their code. Municipalities whose codes include general references to the need for adequate public facilities, but do not have standards or review methodology, are not noted with an asterisk in this table but are included in subsequent tables.*

| ADEQUATE PUBLIC FACILITIES ORDINANCES IN MARYLAND<br>Municipal Regulations, 2025 |                 |                  |
|--|-----------------|------------------|
| Municipality   | County          | 2025 APFO Status |
| Aberdeen   | Harford         | x                |
| Accident   | Garrett         |                  |
| Annapolis  | Anne Arundel    | x                |
| Baltimore  | Baltimore City  |                  |
| Barclay  | Queen Anne's    |                  |
| Barnesville  | Montgomery      | x                |
| Barton   | Allegany        |                  |
| Bel Air  | Harford         | x                |
| Berlin   | Worcester       |                  |
| Berwyn Heights   | Prince George's |                  |
| Betterton  | Kent            |                  |
| Bladensburg  | Prince George's |                  |
| Boonsboro  | Washington      | x                |
| Bowie  | Prince George's |                  |
| Brentwood  | Prince George's |                  |
| Brookeville  | Montgomery      |                  |
| Brookview  | Dorchester      |                  |
| Brunswick  | Frederick       | x                |
| Burkittsville  | Frederick       |                  |
| Cambridge  | Dorchester      | x                |
| Capitol Heights  | Prince George's |                  |
| Cecilton   | Cecil           |                  |
| Centreville  | Queen Anne's    |                  |
| Charlestown  | Cecil           |                  |
| Chesapeake Beach   | Calvert         |                  |
| Chesapeake City  | Cecil           |                  |



| ADEQUATE PUBLIC FACILITIES ORDINANCES IN MARYLAND<br>Municipal Regulations, 2025 |                 |                  |
|--|-----------------|------------------|
| Municipality   | County          | 2025 APFO Status |
| <b>Chestertown</b>   | Kent            |                  |
| <b>Cheverly</b>  | Prince George's |                  |
| <b>Chevy Chase Section 3</b>   | Montgomery      |                  |
| <b>Chevy Chase Section 5</b>   | Montgomery      |                  |
| <b>Chevy Chase View</b>  | Montgomery      |                  |
| <b>Chevy Chase Village</b>   | Montgomery      |                  |
| <b>Chevy Chase, Town of</b>  | Montgomery      |                  |
| <b>Church Creek</b>  | Dorchester      |                  |
| <b>Church Hill</b>   | Queen Anne's    |                  |
| <b>Clear Spring</b>  | Washington      |                  |
| <b>College Park</b>  | Prince George's |                  |
| <b>Colmar Manor</b>  | Prince George's |                  |
| <b>Cottage City</b>  | Prince George's |                  |
| <b>Crisfield</b>   | Somerset        |                  |
| <b>Cumberland</b>  | Allegany        |                  |
| <b>Deer Park</b>   | Garrett         |                  |
| <b>Delmar</b>  | Wicomico        |                  |
| <b>Denton</b>  | Caroline        | x                |
| <b>District Heights</b>  | Prince George's |                  |
| <b>Eagle Harbor</b>  | Prince George's |                  |
| <b>East New Market</b>   | Dorchester      |                  |
| <b>Easton</b>  | Talbot          |                  |
| <b>Edmonston</b>   | Prince George's |                  |
| <b>Eldorado</b>  | Dorchester      |                  |
| <b>Elkton</b>  | Cecil           |                  |
| <b>Emmitsburg</b>  | Frederick       | x                |
| <b>Fairmount Heights</b>   | Prince George's |                  |
| <b>Federalsburg</b>  | Caroline        |                  |

| ADEQUATE PUBLIC FACILITIES ORDINANCES IN MARYLAND<br>Municipal Regulations, 2025 |                 |                  |
|--|-----------------|------------------|
| Municipality   | County          | 2025 APFO Status |
| Forest Heights   | Prince George's |                  |
| Frederick  | Frederick       | x                |
| Friendsville   | Garrett         |                  |
| Frostburg  | Allegany        |                  |
| Fruitland  | Wicomico        |                  |
| Funkstown  | Washington      | x                |
| Gaithersburg   | Montgomery      | x                |
| Galena   | Kent            |                  |
| Galestown  | Dorchester      |                  |
| Garrett Park   | Montgomery      |                  |
| Glen Echo  | Montgomery      |                  |
| Glenarden  | Prince George's |                  |
| Goldsboro  | Caroline        |                  |
| Grantsville  | Garrett         |                  |
| Greenbelt  | Prince George's |                  |
| Greensboro   | Caroline        |                  |
| Hagerstown   | Washington      |                  |
| Hampstead  | Carroll         | x                |
| Hancock  | Washington      | x                |
| Havre de Grace   | Harford         | x                |
| Hebron   | Wicomico        |                  |
| Henderson  | Caroline        |                  |
| Highland Beach   | Anne Arundel    |                  |
| Hillsboro  | Caroline        |                  |
| Hurlock  | Dorchester      |                  |
| Hyattsville  | Prince George's |                  |
| Indian Head  | Charles         | x                |
| Keedysville  | Washington      | x                |
| Kensington   | Montgomery      |                  |
| Kitzmiller   | Garrett         |                  |

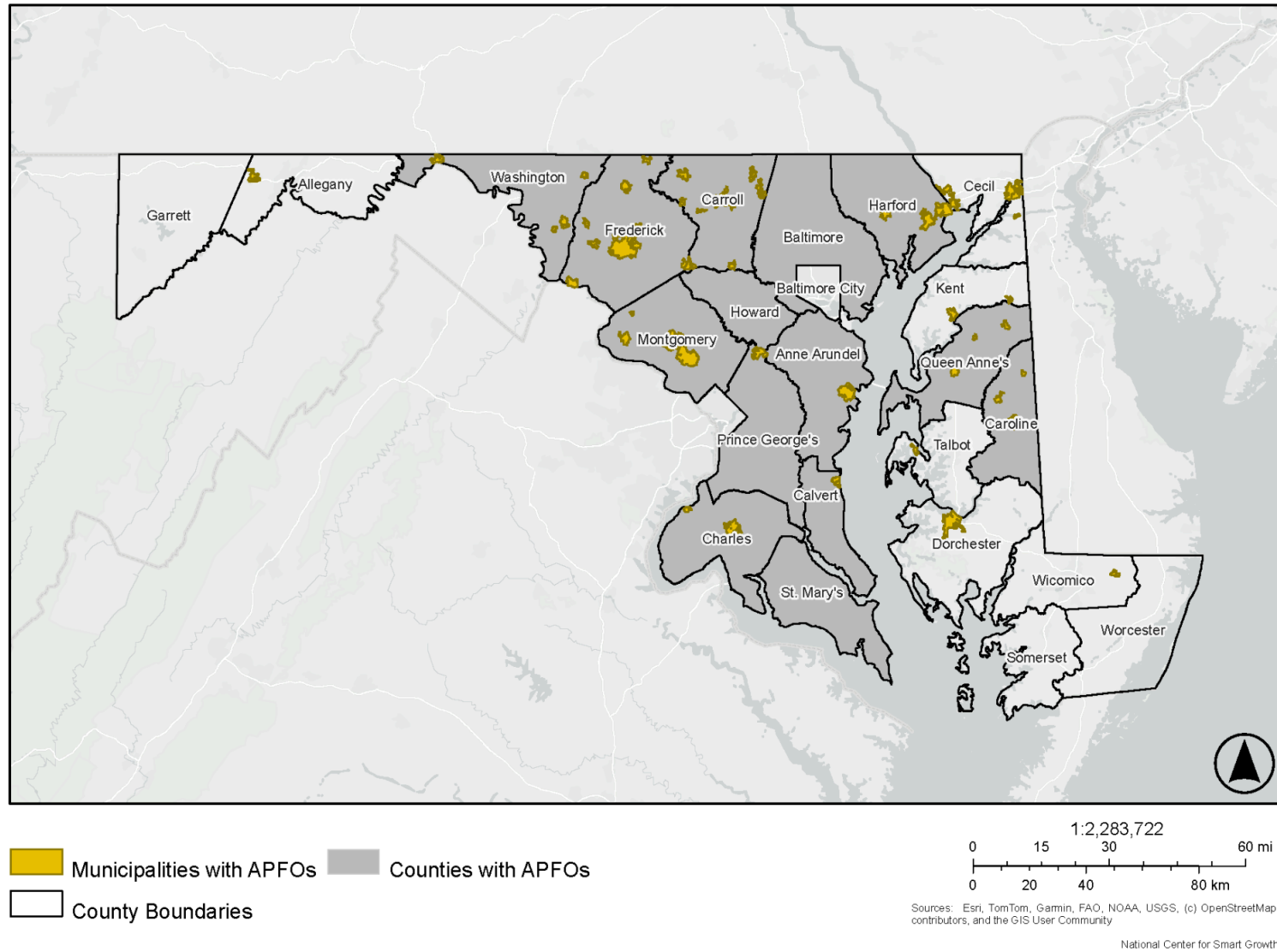
| ADEQUATE PUBLIC FACILITIES ORDINANCES IN MARYLAND<br>Municipal Regulations, 2025 |                 |                  |
|--|-----------------|------------------|
| Municipality   | County          | 2025 APFO Status |
| La Plata   | Charles         | x                |
| Landover Hills   | Prince George's |                  |
| Laurel   | Prince George's | x                |
| Laytonsville   | Montgomery      |                  |
| Leonardtwn   | St. Mary's      |                  |
| Loch Lynn Heights  | Garrett         |                  |
| Lonaconing   | Allegany        |                  |
| Luke   | Allegany        |                  |
| Manchester   | Carroll         | x                |
| Mardela Springs  | Wicomico        |                  |
| Martin's Additions   | Montgomery      |                  |
| Marydel  | Caroline        |                  |
| Middletown   | Frederick       |                  |
| Midland  | Allegany        |                  |
| Millington   | Queen Anne's    |                  |
| Morningside  | Prince George's |                  |
| Mount Airy   | Carroll         | x                |
| Mount Rainier  | Prince George's |                  |
| Mountain Lake Park   | Garrett         |                  |
| Myersville   | Frederick       | x                |
| New Carrollton   | Prince George's |                  |
| New Market   | Frederick       |                  |
| New Windsor  | Carroll         | x                |
| North Beach  | Calvert         |                  |
| North Brentwood  | Prince George's |                  |
| North Chevy Chase  | Montgomery      |                  |
| North East   | Cecil           |                  |
| Oakland  | Garrett         |                  |
| Ocean City   | Worcester       |                  |
| Oxford   | Talbot          |                  |

| ADEQUATE PUBLIC FACILITIES ORDINANCES IN MARYLAND<br>Municipal Regulations, 2025 |                 |                  |
|--|-----------------|------------------|
| Municipality   | County          | 2025 APFO Status |
| Perryville   | Cecil           |                  |
| Pittsville   | Wicomico        |                  |
| Pocomoke City  | Worcester       |                  |
| Poolesville  | Montgomery      | x                |
| Port Deposit   | Cecil           |                  |
| Port Tobacco   | Charles         |                  |
| Preston  | Dorchester      |                  |
| Princess Anne  | Somerset        |                  |
| Queen Anne   | Queen Anne's    |                  |
| Queenstown   | Queen Anne's    |                  |
| Ridgely  | Caroline        | x                |
| Rising Sun   | Cecil           |                  |
| Riverdale Park   | Prince George's |                  |
| Rock Hall  | Kent            |                  |
| Rockville  | Montgomery      | x                |
| Rosemont   | Frederick       |                  |
| Salisbury  | Wicomico        |                  |
| Seat Pleasant  | Prince George's |                  |
| Secretary  | Dorchester      |                  |
| Sharpsburg   | Washington      |                  |
| Sharptown  | Wicomico        |                  |
| Smithsburg   | Washington      | x                |
| Snow Hill  | Worcester       |                  |
| Somerset   | Somerset        |                  |
| St. Michaels   | Talbot          |                  |
| Sudlersville   | Queen Anne's    |                  |
| Sykesville   | Carroll         | x                |
| Takoma Park  | Montgomery      |                  |
| Taneytown  | Carroll         | x                |
| Templeville  | Queen Anne's    |                  |

| ADEQUATE PUBLIC FACILITIES ORDINANCES IN MARYLAND<br>Municipal Regulations, 2025 |                 |                  |
|--|-----------------|------------------|
| Municipality   | County          | 2025 APFO Status |
| Thurmont   | Frederick       | x                |
| Trappe   | Talbot          |                  |
| Union Bridge   | Carroll         | x                |
| University Park  | Prince George's |                  |
| Upper Marlboro   | Prince George's |                  |
| Vienna   | Dorchester      |                  |
| Walkersville   | Frederick       | x                |
| Washington Grove   | Montgomery      |                  |
| Westernport  | Allegany        |                  |
| Westminster  | Carroll         | x                |
| Willards   | Wicomico        |                  |
| Williamsport   | Washington      | x                |
| Woodsboro  | Frederick       |                  |
|  | <b>Total</b>    | 34               |

Figure B2: 2025 Map of County and Municipality APFO Status

## 2025 County and Municipality APFO Status



*Note: Some municipalities not included in Table B1 are included in the tables below (B2-B15) to highlight the language they include in their code related to adequate public facilities, even if they have not adopted review methodologies or specific level of service standards.*

*Table B2: 2025 Municipal APFO Sources*

| <b>ADEQUATE PUBLIC FACILITIES ORDINANCES IN MARYLAND<br/>Municipal Regulations, 2025</b> |               |  |
|--|---------------|--|
| <b>Municipality</b>  | <b>County</b> | <b>Sources</b>   |
| <b>Aberdeen</b>  | Harford       | Aberdeen Code, Part II: General Legislation, Ch 302 Growth Management  |
| <b>Annapolis</b>   | Anne Arundel  | Annapolis Code of Ordinances, Title 22 - Adequate Public Facilities  |
| <b>Barnesville</b>   | Montgomery    | Barnesville Subdivision Ordinance, Sec. 30. Same–Approval procedure, (d) Adequate public facilities  |
| <b>Bel Air</b>   | Harford       | Bel Air Code, General Legislation, Ch 265 Public Facilities, Adequate<br><br>Bel Air Code, General Legislation, Ch 165 Comprehensive Plan and Development Regulations, Pt 2 Zoning, Art II Administration and Enforcement, § 165-20 Annual growth report; adequacy standards |
| <b>Boonsboro</b>   | Washington    | Boonsboro Ordinance for Growth Management  |
| <b>Brunswick</b>   | Frederick     | Brunswick Adequate Public Facilities Ordinance   |
| <b>Cambridge</b>   | Dorchester    | Cambridge Unified Development Code, Article 7 Community Design Standards, § 7.1 Adequate Public Facilities   |
| <b>Centreville**</b>   | Queen Anne's  | Centerville Municipal Code Chapter 170 Zoning 170-29 Planned Business Development District   |
| <b>Chesapeake Beach</b>  | Calvert       | Chesapeake Beach Code, Part II: General Legislation, Ch 245 Subdivision of Land, Art VIII Application and Plan Requirements  |
| <b>Chesapeake City</b>   | Cecil         | Chesapeake City Code, General Legislation, Ch 120 Comprehensive Development, Pt 7 Community Design Standards, Art 1 Adequate Public Facilities   |
| <b>Chestertown**</b>   | Kent          | Chestertown Code, Chapter 170 Zoning, Article II Administrative Provisions; Enforcement, § 170-15 Site plan review required for certain uses, (C), (8)   |
| <b>Church Hill</b>   | Queen Anne's  | Church Hill Town Code Part II Administrative Legislation Chapter 75 Zoning Article 3 Part 2. 75-56   |
| <b>Denton</b>  | Caroline      | Denton Code, Part II: General Legislation, Chapter 73 Land Subdivision, § 73-10 Adequate public facilities   |

| ADEQUATE PUBLIC FACILITIES ORDINANCES IN MARYLAND<br>Municipal Regulations, 2025 |                 |   |
|--|-----------------|---|
| Municipality   | County          | Sources   |
| <b>Elkton</b>  | Cecil           | Elkton Zoning Ordinance, Article 1 Purpose and Authority, Section 6. Adequate Public facilities Requirements  |
| <b>Emmitsburg</b>  | Frederick       | Emmitsburg Municipal Code, Title 14 - Adequate Public Facilities  |
| <b>Frederick</b>   | Frederick       | Frederick Code, Chapter 4 - Adequate Public Facilities  |
| <b>Frostburg**</b>   | Allegany        | Frostburg Code of Ordinances Part II Appendix A Zoning Ordinance<br>Part 4. Sec. 4.2. F. (14). (d)<br>Part 4. Sec. 4.3. E. (2). (d)<br>Part 5. Sec 5.1 C. 6. (c)                            |
| <b>Gaithersburg</b>  | Montgomery      | Gaithersburg Zoning Ordinance Article 14<br>Gaithersburg Traffic Impact Study Standards and Regulation  |
| <b>Goldsboro**</b>   | Caroline        | Town of Goldsboro Zoning Ordinance 6.0 Use Regulations 6.6<br>PUD Findings of Fact  |
| <b>Hampstead</b>   | Carroll         | Hampstead Code, General Legislation, Ch 119 Subdivision of Land, § 119-22 Adequacy of facilities  |
| <b>Hancock</b>   | Washington      | Hancock Code, Part II: General Legislation, Ch 304 Public Facilities, Adequate  |
| <b>Havre de Grace</b>  | Harford         | Havre de Grace Code, Ch 2 Adequate Public Facilities  |
| <b>Indian Head</b>   | Charles         | Indian Head Code, General Legislation, Ch 440 Zoning, Art XIX<br>Adequate Public Facilities Requirements  |
| <b>Keedysville</b>   | Washington      | Keedysville Adequate Public Facilities Ordinance  |
| <b>La Plata</b>  | Charles         | La Plata Municipal Code, Chapter 173 Subdivision and Land Development, Article IX. - School Seat Allocation Policy  |
| <b>Laurel</b>  | Prince George's | Laurel Land Development Code, Ch 20 - Land Development Subdivision, Article II. - Subdivisions, Division 1. - In General, Sec. 20-29.7. - Review procedure; adequate public facilities      |
| <b>Manchester</b>  | Carroll         | Manchester Code, Part II: General Legislation, Ch 200 Subdivision and Development of Land, Art II Requirements for Residential Subdivision, § 200-8 Certification of adequacy of facilities |



| ADEQUATE PUBLIC FACILITIES ORDINANCES IN MARYLAND<br>Municipal Regulations, 2025 |              |   |
|--|--------------|---|
| Municipality   | County       | Sources   |
| <b>Middletown*</b>   | Frederick    | Middletown Code Title 17 Zoning, Chapter 17.44 Board of Appeals 17.44.060 Special exceptions. F. General Standards  |
| <b>Millington*</b>   | Queen Anne's | Chapter 80 Zoning Ordinance Part III Special Exceptions § 80-157. Standards   |
| <b>Mount Airy</b>  | Carroll      | Mount Airy Code, Administrative Legislation, Ch 25 Planning Commission, Art II Adequacy of Facilities   |
| <b>Myersville</b>  | Frederick    | Myersville Code, General Legislation, Ch 105 Public Facilities, Provision of  |
| <b>New Windsor</b>   | Carroll      | New Windsor Code, General Legislation, Ch 175 Subdivision of Land, Art VII Adequacy of Facilities   |
| <b>Perryville*</b>   | Cecil        | Chapter 84 Perryville Zoning Ordinance Part II Special Exception Permits Section 57.  |
| <b>Pittsville**</b>  | Wicomico     | Pittsville Zoning Ordinance. Article VI. Designation of Districts. § 31. Purpose of Districts. B. (1) (a)   |
| <b>Poolesville</b>   | Montgomery   | Poolesville Code, Appendix A Subdivision Regulations, Sec. 34 Same-Approval procedure, D. Adequate public facilities  |
| <b>Port Deposit</b>  | Cecil        | Port Deposit Subdivision Regulations, Article VII Adequate Facilities   |
| <b>Ridgely</b>   | Caroline     | Zoning Ordinance Town of Ridgely Chapter 20.0   |
| <b>Rockville</b>   | Montgomery   | Rockville City Code, Chapter 25 - Zoning Ordinance, Article 20. - Adequate Public Facilities<br><br>Rockville Adequate Public Facility Standards  |
| <b>Smithsburg</b>  | Washington   | Smithsburg Code, Part II: General Legislation, Ch 300 Public Facilities, Adequate   |
| <b>St. Michaels</b>  | Talbot       | St. Michael's Code Part II General Legislation Chapter 340 Zoning Article XVII § 340-186. D.  |
| <b>Sudlersville</b>  | Queen Anne's | Sudlersville Code, Subdivision Regulations, Article 4 Procedure, 4-406 Preliminary Plat Procedure, G. 4.<br><br>Sudlersville Code, Subdivision Regulations, Article 5 Required Improvements, 5-503 Adequate Public Facilities |

| ADEQUATE PUBLIC FACILITIES ORDINANCES IN MARYLAND<br>Municipal Regulations, 2025 |            |   |
|--|------------|---|
| Municipality   | County     | Sources   |
| Sykesville   | Carroll    | Sykesville Code, General Legislation, Ch 145 Subdivision Regulations, § 145-5 Preliminary subdivision plan, C. Adequate public facilities review  |
| Taneytown  | Carroll    | Taneytown Code, General Legislation, Ch 180 Subdivision of Land, Article VI Preliminary Subdivision Plan, § 180-22 Adequacy of facilities, § 180-23 Inadequate facilities   |
| Thurmont   | Frederick  | Thurmont Adequate Public Facilities Ordinance   |
| Union Bridge   | Carroll    | Union Bridge Town Code Chapter 220 Zoning Laws Article 13 Section 13.6.0. 1.  |
| Walkersville   | Frederick  | Walkersville Code, Ch 2 Adequate Public Facilities  |
| Washington Grove*  | Montgomery | Washington Grove Code of Ordinances Article VII Zoning 11.324 (a) (2) (I)   |
| Westminster  | Carroll    | Westminster Code, General Legislation, Ch 164 Zoning and Subdivision of Land, Art XXIV Subdivision Regulations, § 164-193 General Requirements (K), § 164-198 Preliminary plat approval (E), (F), (G), § 164-199 Final plat approval (A), (D), (G), (H) |

\* APFO only applies to special exceptions

\*\* APFO only applies to specific zones, districts, or development

Table B3: 2025 Municipal APFO Facilities Coverage

| FACILITIES EVALUATED IN ADEQUATE PUBLIC FACILITIES ORDINANCES IN MARYLAND<br>Municipal Regulations, 2025 |              |         |                   |       |       |                            |                |              |        |                            |                  |       |
|--|--------------|---------|-------------------|-------|-------|----------------------------|----------------|--------------|--------|----------------------------|------------------|-------|
| Municipality   | County       | Schools | Roads/<br>Transpo | Water | Sewer | Stormwa<br>ter<br>Drainage | Health<br>Care | Fire/EM<br>S | Police | Solid<br>Waste<br>Disposal | Parks<br>and Rec | Total |
| Aberdeen   | Harford      | x       | x                 | x     | x     |                            |                |              |        |                            |                  | 4     |
| Annapolis  | Anne Arundel | x       | x                 | x     | x     | x                          |                | x            | x      |                            | x                | 8     |
| Barnesville  | Montgomery   | x       |                   |       |       |                            | x              | x            | x      |                            |                  | 4     |
| Bel Air  | Harford      | x       | x                 | x     | x     | x                          |                | x            | x      |                            | x                | 8     |
| Boonsboro  | Washington   | x       | x                 | x     | x     |                            |                |              |        |                            |                  | 4     |
| Brunswick  | Frederick    | x       | x                 | x     | x     |                            |                |              |        |                            |                  | 4     |
| Cambridge  | Dorchester   |         |                   | x     | x     |                            |                |              |        |                            |                  | 2     |
| Centreville**  | Queen Anne's |         | x                 | x     | x     | x                          |                |              |        |                            |                  | 4     |
| Chesapeake<br>Beach  | Calvert      |         | x                 |       |       |                            |                |              |        |                            |                  | 1     |
| Chesapeake<br>City   | Cecil        |         |                   | x     | x     |                            |                |              |        |                            |                  | 2     |
| Chestertown**  | Kent         | x       | x                 | x     | x     |                            |                | x            | x      |                            | x                | 7     |
| Church Hill  | Queen Anne's |         | x                 |       |       | x                          |                |              |        |                            |                  | 2     |
| Denton   | Caroline     | x       | x                 | x     | x     | x                          |                | x            |        | x                          |                  | 7     |
| Elkton   | Cecil        |         |                   |       |       |                            |                |              |        |                            |                  | 0     |
| Emmitsburg   | Frederick    | x       | x                 | x     | x     |                            |                | x            | x      |                            |                  | 6     |
| Frederick  | Frederick    | x       | x                 | x     | x     |                            |                |              |        |                            |                  | 4     |
| Frostburg**  | Allegany     |         |                   |       |       |                            |                |              |        |                            |                  | 0     |

| FACILITIES EVALUATED IN ADEQUATE PUBLIC FACILITIES ORDINANCES IN MARYLAND<br>Municipal Regulations, 2025 |                 |         |                   |       |       |                            |                |              |        |                            |                  |       |
|--|-----------------|---------|-------------------|-------|-------|----------------------------|----------------|--------------|--------|----------------------------|------------------|-------|
| Municipality   | County          | Schools | Roads/<br>Transpo | Water | Sewer | Stormwa<br>ter<br>Drainage | Health<br>Care | Fire/EM<br>S | Police | Solid<br>Waste<br>Disposal | Parks<br>and Rec | Total |
| Gaithersburg   | Montgomery      | x       | x                 | x     | x     |                            |                | x            |        |                            |                  | 5     |
| Goldsboro**  | Caroline        |         |                   |       |       |                            |                |              |        |                            |                  | 0     |
| Hampstead  | Carroll         | x       | x                 | x     | x     |                            |                | x            | x      | x                          |                  | 7     |
| Hancock  | Washington      | x       | x                 | x     | x     |                            |                | x            |        |                            |                  | 5     |
| Havre de<br>Grace  | Harford         | x       | x                 | x     | x     |                            |                |              |        |                            |                  | 4     |
| Indian Head  | Charles         | x       | x                 | x     | x     | x                          |                | x            |        |                            |                  | 6     |
| Keedysville  | Washington      | x       | x                 | x     | x     |                            |                | x            |        |                            |                  | 5     |
| La Plata   | Charles         | x       |                   |       |       |                            |                |              |        |                            |                  | 1     |
| Laurel   | Prince George's | x       | x                 | x     | x     |                            |                | x            | x      |                            | x                | 7     |
| Manchester   | Carroll         | x       | x                 | x     | x     |                            |                | x            | x      |                            |                  | 6     |
| Middletown*  | Frederick       |         |                   | x     | x     | x                          |                | x            | x      |                            |                  | 5     |
| Millington*  | Queen Anne's    |         | x                 | x     | x     | x                          |                |              |        |                            |                  | 4     |
| Mount Airy   | Carroll         | x       | x                 | x     | x     |                            |                | x            | x      |                            | x                | 7     |
| Myersville   | Frederick       | x       | x                 | x     | x     |                            |                |              |        |                            |                  | 4     |
| New Windsor  | Carroll         | x       | x                 | x     | x     |                            |                | x            | x      |                            | x                | 7     |
| Perryville*  | Cecil           |         | x                 | x     | x     | x                          |                |              |        |                            |                  | 4     |
| Pittsville**   | Wicomico        |         |                   |       |       |                            |                |              |        |                            |                  | 0     |
| Poolesville  | Montgomery      | x       | x                 | x     | x     |                            | x              | x            | x      |                            |                  | 7     |
| Port Deposit   | Cecil           | x       | x                 | x     | x     | x                          |                | x            | x      | x                          |                  | 8     |
| Ridgely  | Caroline        | x       | x                 | x     | x     | x                          |                | x            | x      | x                          |                  | 8     |

| FACILITIES EVALUATED IN ADEQUATE PUBLIC FACILITIES ORDINANCES IN MARYLAND<br>Municipal Regulations, 2025 |              |         |                   |       |       |                            |                |              |        |                            |                  |       |
|--|--------------|---------|-------------------|-------|-------|----------------------------|----------------|--------------|--------|----------------------------|------------------|-------|
| Municipality   | County       | Schools | Roads/<br>Transpo | Water | Sewer | Stormwa<br>ter<br>Drainage | Health<br>Care | Fire/EM<br>S | Police | Solid<br>Waste<br>Disposal | Parks<br>and Rec | Total |
| Rockville  | Montgomery   | x       | x                 | x     | x     |                            |                |              |        |                            |                  | 4     |
| Smithsburg   | Washington   | x       | x                 | x     | x     |                            |                | x            |        |                            |                  | 5     |
| St. Michaels   | Talbot       |         |                   |       |       |                            |                |              |        |                            |                  | 0     |
| Sudlersville   | Queen Anne's | x       | x                 | x     | x     | x                          |                | x            | x      | x                          |                  | 8     |
| Sykesville   | Carroll      | x       | x                 | x     | x     | x                          | x              | x            | x      | x                          |                  | 9     |
| Taneytown  | Carroll      | x       | x                 | x     | x     | x                          |                | x            | x      | x                          | x                | 9     |
| Thurmont   | Frederick    | x       | x                 | x     | x     |                            |                |              |        |                            |                  | 4     |
| Union Bridge   | Carroll      | x       | x                 | x     | x     | x                          | x              | x            | x      | x                          | x                | 10    |
| Walkersville   | Frederick    | x       |                   | x     |       |                            |                |              |        |                            |                  | 2     |
| Washington<br>Grove*   | Montgomery   |         | x                 | x     | x     | x                          |                | x            | x      |                            |                  | 6     |
| Westminster  | Carroll      | x       | x                 | x     | x     | x                          | x              | x            | x      | x                          |                  | 9     |
| Total  |              | 34      | 37                | 39    | 38    | 17                         | 5              | 26           | 20     | 9                          | 8                |       |
| Percent  |              | 71%     | 77%               | 81%   | 79%   | 35%                        | 10%            | 54%          | 42%    | 19%                        | 17%              |       |

\* APFO only applies to special exceptions

\*\* APFO only applies to specific zones, districts, or development

Table B4: 2025 Municipal Timing of Adequacy Test

| TIMING OF APFO TESTS<br>Municipal Regulations, 2025 |                 |   |
|---|-----------------|---|
| Municipality  | County          | Timing  |
| <b>Aberdeen</b>                                     | Harford         | Prior to preliminary plat or site plan approval.  |
| <b>Annapolis</b>                                    | Anne Arundel    | Before major site design plan and planned development approval.                           |
| <b>Barnesville</b>                                  | Montgomery      | Before preliminary subdivision plan approval.   |
| <b>Bel Air</b>                                      | Harford         | Before preliminary site plan or subdivision approval.                                     |
| <b>Boonsboro</b>                                    | Washington      | Before final subdivision and site plan approval.  |
| <b>Brunswick</b>                                    | Frederick       | Prior to preliminary plat or site plan approval.  |
| <b>Cambridge</b>                                    | Dorchester      | Prior to subdivision approval.  |
| <b>Centreville**</b>                                | Queen Anne's    | Development plan stage.   |
| <b>Chesapeake Beach</b>                             | Calvert         | Before final subdivision approval.  |
| <b>Chesapeake City</b>                              | Cecil           | Prior to subdivision approval.  |
| <b>Chestertown**</b>                                | Kent            | Site plan review.   |
| <b>Church Hill</b>                                  | Queen Anne's    | Once a special exception is proposed.   |
| <b>Denton</b>                                       | Caroline        | Before final site plan or plat approval.  |
| <b>Elkton</b>                                       | Cecil           | Before final subdivision plat or development plan approval.                               |
| <b>Emmitsburg</b>                                   | Frederick       | Prior to preliminary or final subdivision or site plan approval.                          |
| <b>Frederick</b>                                    | Frederick       | During master plan, plat, or site plan application; prior to permit issuance.             |
| <b>Frostburg**</b>                                  | Allegany        | Before plan approval.   |
| <b>Gaithersburg</b>                                 | Montgomery      | Before schematic development plan or preliminary site plan approval.                      |
| <b>Goldsboro**</b>                                  | Caroline        | Preliminary application review.   |
| <b>Hampstead</b>                                    | Carroll         | Before preliminary subdivision plan approval.   |
| <b>Hancock</b>                                      | Washington      | Prior to final approval.  |
| <b>Havre de Grace</b>                               | Harford         | Before preliminary subdivision plan or site plan approval.                                |
| <b>Indian Head</b>                                  | Charles         | Before final subdivision plat or development plan approval.                               |
| <b>Keedysville</b>                                  | Washington      | Prior to final subdivision or site plan approval.   |
| <b>La Plata</b>                                     | Charles         | Before final subdivision plat approval and before building permit issuance.               |
| <b>Laurel</b>                                       | Prince George's | Before preliminary subdivision plat or site development plan approval.                    |
| <b>Manchester</b>                                   | Carroll         | Before preliminary plan approval and before final subdivision plan or site plan approval. |
| <b>Middletown*</b>                                  | Frederick       | Once a special exception is proposed.   |
| <b>Millington*</b>                                  | Queen Anne's    | Before special exception approval.  |

| TIMING OF APFO TESTS<br>Municipal Regulations, 2025 |              |   |
|---|--------------|---|
| Municipality  | County       | Timing  |
| Mount Airy  | Carroll      | Concept plan stage.   |
| Myersville  | Frederick    | Prior to preliminary plan or site plan approval.  |
| New Windsor   | Carroll      | Before final subdivision or site plan approval.   |
| Perryville*   | Cecil        | Before special exception approval.  |
| Pittsville**  | Wicomico     | Before proposed infill or redevelopment project approval.   |
| Poolesville   | Montgomery   | Before preliminary subdivision plan approval.   |
| Port Deposit  | Cecil        | Before preliminary plat approval.   |
| Ridgely   | Caroline     | Before final subdivision plan approval.   |
| Rockville   | Montgomery   | During project plan, site plan, preliminary subdivision plan, and building permit application phases. |
| Smithsburg  | Washington   | Prior to final approval.  |
| St. Michaels  | Talbot       | Before project approval.  |
| Sudlersville  | Queen Anne's | Before preliminary plat approval.   |
| Sykesville  | Carroll      | Before preliminary subdivision plan approval.   |
| Taneytown   | Carroll      | Before preliminary subdivision plan approval.   |
| Thurmont  | Frederick    | Prior to preliminary plat or site plan approval.  |
| Trappe  | Talbot       | Before subdivision approval.  |
| Union Bridge  | Carroll      | Before subdivision approval.  |
| Walkersville  | Frederick    | Before preliminary plat approval, extension, or renewal.  |
| Washington Grove*                                   | Montgomery   | Before special exception approval.  |
| Westminster   | Carroll      | Before preliminary plan approval and final plat approval.   |

\* APFO only applies to special exceptions

\*\* APFO only applies to specific zones, districts, or development

Table B5: 2025 Municipal Exemptions

| LEVEL OF SERVICE EXEMPTIONS<br>Municipal Regulations, 2025 |              |  |
|--|--------------|--|
| Municipality   | County       | Exemptions   |
| Aberdeen   | Harford      | <u>All</u> : Development conducted in accordance with a preliminary plat or site plan approved before the effective date of a given chapter.<br><u>Schools Test</u> : Preliminary subdivision plats with fewer than five lots and site plans for residential developments with fewer than five dwelling units; housing for the elderly; and nonresidential development.  |
| Annapolis  | Anne Arundel | <u>Fire Test</u> : A proposed project that will include a sprinkler system or systems.<br><u>Recreational Test</u> : Developments that are not residential, mixed residential, or commercial.<br><u>Schools Test</u> : Non-residential projects; residential subdivisions if no new dwelling unit potential is created; efficiency and one bedroom dwelling units within the proposed development; institutions for the care of the aged; proposed projects in (1) the arts and entertainment district and (2) the boundaries as established by the Main Street Maryland Letter of Agreement for Designated Communities as shown on the Annapolis Main Street District Map dated 3/9/16; age-restricted residential projects; proposed projects that have received a certificate of adequate public facilities prior to the effective date of Ordinance 36-15; and properties developed pursuant to Title 42, Chapter 8 of the United States Code Low Income Housing Program, or Section 42 of the Internal Revenue Code Low Income Housing Tax Credit Program, given school pupil generation factors yield per unit is currently or projected to be under one hundred twenty percent capacity for any individual school serving the area to be developed.<br><u>Traffic Impact Analyses</u> : Proposed development and/or additions to existing structure is expected to generate fewer than two hundred fifty daily trips, there are no current traffic problems or issues in the project area, and the proposed entrances and exits from the site are not too close to an intersection. |
| Barnesville  | Montgomery   | None.  |
| Bel Air  | Harford      | <u>Schools Test</u> : Single-family attached and detached dwellings with fewer than five lots; multifamily residential developments with fewer than five dwelling units; transient housing; and 55 and over housing.   |
| Boonsboro  | Washington   | <u>All</u> : Developments eligible for approval by the minor subdivision plat procedure.<br><u>Schools Test</u> : Nonresidential development; new development to be developed according to federal regulations restricting occupancy in the dwelling units to elderly persons; public or private elementary and secondary schools; and public safety facilities.   |



| LEVEL OF SERVICE EXEMPTIONS<br>Municipal Regulations, 2025 |              |  |
|--|--------------|--|
| Municipality   | County       | Exemptions   |
| <b>Brunswick</b>   | Frederick    | <u>All</u> : Minor residential subdivisions; public or private elementary, middle, or high schools; and public safety facilities.<br><u>Schools Test</u> : Housing for older persons that meets 11 criteria.<br><u>Roads Test</u> : Developments which generate fewer than one hundred total vehicle trips during the highest daily peak hour.   |
| <b>Cambridge</b>   | Dorchester   | None.  |
| <b>Centreville**</b>                                       | Queen Anne's | APFO only applies to development within the Planned Business Development District (PBD).   |
| <b>Chesapeake Beach</b>                                    | Calvert      | <u>Roads Test</u> : development consists of fewer than 50 residential units; development will not increase the design hour traffic (DHT) volume of any Town, county, or state road or highway by more than 5%  |
| <b>Chesapeake City</b>                                     | Cecil        | None.  |
| <b>Chestertown**</b>                                       | Kent         | <u>All</u> : Developments which do not fall under the following uses: multiple-family dwellings containing more than three (3) dwelling units; dwellings forming a part of a multiple-family development of two (2) or more detached dwelling units; townhouses, apartment buildings and condominiums; retail, office, professional, commercial, institutional, and industrial buildings; group daycare facilities, both child and adult; parking lots and parking garages as accessory to the above; and infill development or redevelopment of any of the above. |
| <b>Church Hill</b>   | Queen Anne's | APFO only applies to proposals for a special exception.  |
| <b>Denton</b>  | Caroline     | <u>All</u> : Minor subdivisions and single family development projects.  |
| <b>Elkton</b>  | Cecil        | None.  |
| <b>Emmitsburg</b>  | Frederick    | <u>All</u> : Minor residential subdivision and public safety facilities.<br><u>Schools Test</u> : Senior housing and nonresidential development.<br><u>Roads Test</u> : Developments which are expected to generate twenty-five (25) or fewer total vehicle trips during the highest daily peak hour of the adjacent street traffic and fifty (50) or fewer trips during the peak hour of the site's generated traffic.  |

| LEVEL OF SERVICE EXEMPTIONS<br>Municipal Regulations, 2025 |           |  |
|--|-----------|--|
| Municipality   | County    | Exemptions   |
| <b>Frederick</b>   | Frederick | <p><u>All:</u> Project undertaken by the City; a project in which the master plan was unconditionally approved before April 15, 2007; a residential project that creates five (5) or fewer dwelling units; and subdivision that does not result in the creation of additional lots.</p> <p><u>Water Test:</u> Development project to be constructed entirely on a lot of record if the development project does not require more than a twenty (20) percent increase in water line capacity over the existing development and consists solely of one or more of the following: the change of use of an existing structure, the renovation, with no addition of square footage, of an existing structure, the construction of an addition of five thousand (5,000) square feet or less to an existing structure, or the demolition of an existing structure and replacement with a structure no more than five thousand (5,000) square feet larger than the one demolished.</p> <p><u>Sewer Test:</u> Development project to be constructed entirely on a lot of record if the development project does not require more than a twenty (20) percent increase in sewer line capacity over the existing development and consists solely of one or more of the following: the change of use of an existing structure, the renovation, with no addition of square footage, of an existing structure, the construction of an addition of five thousand (5,000) square feet or less to an existing structure, or the demolition of an existing structure and replacement with a structure no more than five thousand (5,000) square feet larger than the one demolished.</p> <p><u>Roads Test:</u> Development project if the project is expected to generate no more than 50 peak hour new vehicle trips; development project to be constructed entirely on a lot of record if the development project does not require more than a twenty (20) percent increase in road capacity over the existing development and consists solely of one or more of the following: the change of use of an existing structure, the renovation, with no addition of square footage, of an existing structure, the construction of an addition of five thousand (5,000) square feet or less to an existing structure, or the demolition of an existing structure and replacement with a structure no more than five thousand (5,000) square feet larger than the one demolished; and a project located entirely within the Downtown Frederick Mobility Fee District</p> <p><u>Schools Test:</u> A nonresidential project; a residential or mixed use project or portion of a residential or mixed use project for which a master plan was unconditionally approved before April 15, 2007; and a development that qualifies as "housing for older persons."</p> |
| <b>Frostburg**</b>   | Allegany  | APFO only applies to development within the "ID" Infill Development Overlay District, "CMP Camping Overlay District, and "PND" Planned Neighborhood Development Floating Zone.   |

| LEVEL OF SERVICE EXEMPTIONS<br>Municipal Regulations, 2025 |            |  |
|--|------------|--|
| Municipality   | County     | Exemptions   |
| <b>Gaithersburg</b>  | Montgomery | <u>All</u> : properties that are subject to an annexation agreement<br><u>Traffic Impact Study</u> : new developments that generate fewer than 30 total weekday trips during the peak hour of the morning and/or evening; redevelopment that generates fewer than 30 additional weekday trips during the peak hour of the morning and/or evening<br><u>Schools Test</u> : Dwellings units restricted to persons age fifty-five (55) years old and older; projects meeting one of three conditions listed in section (E) at the discretion of the city council<br><u>Utilization Premium Payment Fee</u> : moderately priced dwelling units; development projects dwelling units that have final site plan approval before March 1, 2022; projects meeting one of three conditions listed in section (E) at the discretion of the city council  |
| <b>Goldsboro**</b>   | Caroline   | Only applies to developments within the Planned Unit Development (PUD) Zone  |
| <b>Hampstead</b>   | Carroll    | <u>All</u> : Facilities for which the developer's rights and obligations are to be established in a Development Rights and Responsibilities Agreement.   |
| <b>Hancock</b>   | Washington | <u>All</u> : Subdivisions which can be approved by the simplified plat procedure.<br><u>Roads Test</u> : Extraordinary hardship may result from the strict compliance of the provisions of this chapter and strict application would unreasonably deprive the applicant of reasonable use of the property.<br><u>Schools Test</u> : New development to be developed exclusively for nonresidential uses; new development to be developed according to federal regulations restricting occupancy in the dwelling units to elderly persons; a new development to be developed as a retirement community; public or private elementary and secondary schools, and public safety facilities; and simplified plat/subdivision.<br><u>Fire Test</u> : Non-commercial or industrial development; commercial or industrial development substantially outside of the adopted growth area; commercial or industrial development in which a public water supply and distribution system is available or scheduled within two years; and commercial or industrial developments that propose 2,000 square feet or fewer of new enclosed area. |
| <b>Havre de Grace</b>                                      | Harford    | <u>All</u> : The Director of Public Works may waive certain submission requirements for projects with minimal impact to the water and sewer system or roads; such as minor subdivisions of less than three lots and redevelopment projects that do not significantly increase demand on the water and sewer system or roads.<br><u>Schools Test</u> : transient housing; age-restricted housing<br><u>Water, Sewage, and Roads Tests</u> : development conducted in accordance with a preliminary plan or site plan approved before the effective date of these chapters   |

| LEVEL OF SERVICE EXEMPTIONS<br>Municipal Regulations, 2025 |                 |   |
|--|-----------------|---|
| Municipality   | County          | Exemptions  |
| <b>Indian Head</b>   | Charles         | <u>All</u> : Minor subdivisions and insignificant commercial or industrial development for which only a minor subdivision or minor site plan is required.<br><u>Schools Test</u> : Development to be exclusively for nonresidential uses and a proposed development restricting occupancy in the dwelling units to elderly persons.   |
| <b>Keedysville</b>   | Washington      | <u>All</u> : Subdivisions which can be approved by the simplified plat procedure.<br><u>Roads Test</u> : Extraordinary hardship may result from the strict compliance of the provisions of this chapter and strict application would unreasonably deprive the applicant of reasonable use of the property.<br><u>Schools Test</u> : New development to be developed exclusively for non-residential uses; new development to be developed according to federal regulations restricting occupancy in the dwelling units to elderly persons and new development to be developed as a retirement community.<br><u>Fire test</u> : Non-commercial or industrial development; commercial or industrial development substantially outside of the adopted growth area; commercial or industrial development in which a public water supply and distribution system is available or scheduled within two years; and commercial or industrial developments that propose 2,000 square feet or fewer of new enclosed area. |
| <b>La Plata</b>  | Charles         | <u>Schools Test</u> : Development in which dwelling units will be restricted to occupancy by persons fifty-five (55) years of age and older; nursing homes; assisted living facilities; any other type of residential construction that will not generate additional school age population; and a development in which the developer has entered into an agreement with the town and the County Commissioners of Charles County.  |
| <b>Laurel</b>  | Prince George's | None.   |
| <b>Manchester</b>  | Carroll         | <u>All</u> : The Planning Commission may recommend exceptions to the Mayor and Council.   |
| <b>Middletown*</b>   | Frederick       | APFO only applies to proposals for a special exception.   |
| <b>Millington*</b>   | Queen Anne's    | APFO only applies to proposals for a special exception.   |
| <b>Mount Airy</b>  | Carroll         | <u>All</u> : Commercial and industrial lots, except for proposed uses whose projected water use would exceed 2,500 gallons per day.<br><u>Parks and Open Space Test</u> : Developments located in the Downtown Zone (DTZ) with lots less than or equal to 15,000 square feet; developments located in the Downtown Zone (DTZ) with lots greater than 15,000 square feet in accordance with the requirements set forth in this Code.   |

| LEVEL OF SERVICE EXEMPTIONS<br>Municipal Regulations, 2025 |            |  |
|--|------------|--|
| Municipality   | County     | Exemptions   |
| Myersville   | Frederick  | <u>All</u> : Minor residential subdivisions; public or private elementary, middle, or high schools; and public safety facilities.<br><u>Roads Test</u> : Developments which generate or are expected to generate fewer than 15 total vehicle trips during the highest daily peak hour of the adjacent street traffic.<br><u>Schools Test</u> : Residential development for which restrictive covenants are included in the proposal that would limit residency to senior citizens or similar demographic groups that do not include school-age children.   |
| New Windsor  | Carroll    | <u>All</u> : The Planning Commission may recommend exceptions to the Mayor and Council   |
| Perryville*  | Cecil      | APFO only applies to proposals for a special exception.  |
| Pittsville**   | Wicomico   | APFO only applies to development within the CRD Community Infill and Redevelopment Overlay District.   |
| Poolesville  | Montgomery | None.  |
| Port Deposit   | Cecil      | None.  |
| Ridgely  | Caroline   | None.  |
| Rockville  | Montgomery | <u>All</u> : Accessory apartments, wireless communications facilities, and developments with up to 3 housing units.<br><u>Schools Test</u> : Housing for senior adults and persons with disabilities and other age-restricted; nursing homes; personal living quarters; places of worship; and Champion Projects.<br><u>Schools and transportation Tests</u> : MCPS schools and portable classrooms; Montgomery College; and publicly-owned or publicly operated uses.<br><u>Water and sewer Tests</u> : Net increase in wastewater flow equal to or less than 10,000 gallons per day, the construction of one to ten additional residential dwelling units, and a change of use to an existing building or portion. |

| LEVEL OF SERVICE EXEMPTIONS<br>Municipal Regulations, 2025 |              |  |
|--|--------------|--|
| Municipality   | County       | Exemptions   |
| Smithsburg   | Washington   | <p><u>All</u>: Subdivisions which can be approved by the simplified plat procedure described.</p> <p><u>Roads Test</u>: the subdivision of an original tract of land into no more than five lots, provided that there exists in the original tract of land 25 acres per each lot subdivided and the road in front of each lot to be subdivided is no less than 16 feet in width; the subdivision of land used for transfer to a member of the immediate family of the owner(s) of the original tract of land, provided that the road width in front of the lots to be subdivided is no less than 16 feet; and extraordinary hardship will result from strict compliance with this article because of alteration to existing historic structures, including bridges.</p> <p><u>Schools Test</u>: New development to be developed exclusively for nonresidential uses; new development to be developed according to federal regulations restricting occupancy in the dwelling units to elderly persons; public or private elementary and secondary schools and public safety facilities; and minor subdivisions.</p> <p><u>Fire Test</u>: Non-commercial or industrial developments; commercial or industrial developments that are not located substantially within adopted growth areas, that have public water supply and distribution systems available, or are proposing 2,000 square feet or fewer of enclosed area.</p> |
| St. Michaels   | Talbot       | None.  |
| Sudlersville   | Queen Anne's | <u>All</u> : Minor subdivisions.   |
| Sykesville   | Carroll      | None.  |
| Taneytown  | Carroll      | <u>All</u> : Facilities for which the developer's rights and obligations are to be established in a Development Rights and Responsibilities Agreement.   |
| Thurmont   | Frederick    | <p><u>All</u>: Minor residential subdivisions; schools; and public safety facilities.</p> <p><u>Roads Test</u>: Developments expected to generate fewer than 25 peak hour, peak direction vehicle trips.</p>   |
| Trappe   | Talbot       | None.  |
| Union Bridge   | Carroll      | APFO only applies to major subdivisions.   |
| Walkersville   | Frederick    | <p><u>All</u>: Minor residential subdivisions; schools; and public safety facilities.</p> <p><u>Schools test</u>: Nonresidential development and independent senior living communities.</p>  |
| Washington Grove*  | Montgomery   | APFO only applies to proposals for a special exception.  |
| Westminster  | Carroll      | None.  |

\* APFO only applies to special exceptions

\*\* APFO only applies to specific zones, districts, or development

Table B6: 2025 Municipal School LOS

| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |              |  |
|---|--------------|--|
| Municipality  | County       | Schools  |
| Aberdeen  | Harford      | <b>115% of state-rated capacity</b> now or in 5 years.   |
| Annapolis   | Anne Arundel | <b>100% of state-rated capacity</b> now or in 3 years. Includes CIP within the beginning of the school year in which future capacity is included in the utilization chart. Does not include temporary or relocatable structures. |
| Barnesville   | Montgomery   | <b>No standards specified.</b>   |
| Bel Air   | Harford      | <b>110% of state-rated capacity</b> now or in 3 years. Includes CIP. Automatic approval after 2 years on the waiting list.   |
| Boonsboro   | Washington   | <b>90% of state-rated capacity for ES, 100% for MS and HS.</b> Includes CIP within 1 year.   |
| Brunswick   | Frederick    | <b>105% for ES, 110% for MS or HS; state-rated capacity.</b> Includes CIP within 2 years. Includes a redistricting option. Includes a phasing and mitigation option.   |
| Chestertown**   | Kent         | <b>The Planning Commission shall determine</b> that schools are adequate to support and service the proposed development.  |
| Denton  | Caroline     | <b>Caroline County Board of Education consulted</b> regarding adequacy of school facilities  |
| Emmitsburg  | Frederick    | <b>100% of state-rated capacity</b> for the entire period of APFO approval. Includes a redistricting and conditional approval option to provide necessary improvements to create adequate capacity.                              |
| Frederick   | Frederick    | <b>100% of state-rated capacity.</b> Includes CIP within 2 years. Includes a redistricting and mitigation option. Automatic approval after 5-years given the five-year option.   |
| Gaithersburg  | Montgomery   | <b>150% of county public schools program capacity</b> now or within 5 years. Does not permit sharing capacity between schools. Utilizes the same utilization premium payment system as Montgomery County.                        |
| Hampstead   | Carroll      | <b>105% of rated capacity for ES, 110% for MS or HS.</b> 100-105% of rated capacity for ES is "approaching inadequate for ES, 100%-110% for MS or HS. Includes CIP within 3 years.   |
| Hancock   | Washington   | <b>90% of state-rated capacity for ES, 100% for MS or HS.</b> Includes CIP within 1 year. Includes a redistricting and mitigation option.  |

| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |                 |  |
|---|-----------------|--|
| Municipality  | County          | Schools  |
| Havre de Grace  | Harford         | <b>110% of rated capacity for ES, 110% for MS or HS</b> now or in three years. Includes CIP.   |
| Indian Head   | Charles         | <b>No standards specified.</b>   |
| Keedysville   | Washington      | <b>105% of Washington County Board of Education capacity rating.</b>   |
| La Plata  | Charles         | <b>The Town Council annually shall determine the number of school seats that the town will make available for allocation for new residential development</b> in the town during the town's ensuing fiscal year, with a minimum of 100 seats made available. The Council shall divide the seats available for allocation into sub-pools including: (1) Proposed subdivisions consisting of at least 50 lots that have received preliminary plat approval; (2) Proposed subdivisions consisting of less than 50 lots that have received preliminary plat approval; (3) Lots in recorded subdivisions that have 50 or more remaining vacant lots for residential development, which shall contain at least 20% of allocated seats; (4) Other existing recorded lots and parcels of land that could be developed for residential uses, which shall contain at at least 20% of allocated seats. |
| Laurel  | Prince George's | <b>The Planning Commission shall consider the availability within a reasonable distance, and the adequacy of school services.</b> Includes CIP. Developments of residential land containing five (5) acres or more, or which provide for ten (10) or more dwelling units, or commercial, office, or industrial developments which are proposed on land area which exceeds twenty-five thousand (25,000) square feet, are also required to submit an "Adequate Public Facility Analysis", which includes the development's impact on all schools within a reasonable distance.  |
| Manchester  | Carroll         | <b>120% of state-rated capacity.</b> Approaching inadequacy is 110% to 119% for all schools. Includes CIP within 3 years for preliminary plans and within 2 years for final plans. If approaching inadequacy, commission may decrease the number of lots to be approved and permits to be issued.  |
| Mount Airy  | Carroll         | <b>100% of local functional capacity standards.</b> Approaching inadequacy at 100% to 105% for ES and 100% to 110% for MS or HS. "Approaching inadequacy" allows developments to be approved on a phased-in schedule. May conditionally approve if inadequate/approaching inadequacy if CIP is planned within 6 years. May conditionally approve a plan in financial analysis that demonstrates that revenue would be available for a specific capital improvement; includes a mitigation plan.  |



| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |              |  |
|---|--------------|--|
| Municipality  | County       | Schools  |
| Myersville  | Frederick    | <b>100% of state-rated capacity.</b> Includes CIP within 2 years. May request phasing if state-rated capacity does not exceed 115% for ES or 120% for MS or HS and if there is a school construction project planned. Includes a conditional approval option for the developer to provide necessary improvements.  |
| New Windsor   | Carroll      | <b>119% of state-rated capacity.</b> Approaching inadequacy at 110% to 119% of state-rated capacity. Includes CIP within three years for preliminary approval. Same standards apply for final approval. If a school is deemed approaching inadequate during final approval, the commission may decrease the number of lots to be approved or limit the number of permits to be issued. |
| Poolesville   | Montgomery   | <b>Applicants must submit information and data regarding the impact of the proposed subdivision on schools.</b> Schools must be currently adequate. No standards specified beyond this.  |
| Port Deposit  | Cecil        | <b>Cecil County Board of Education shall be consulted regarding the adequacy of school facilities.</b>   |
| Ridgely   | Caroline     | <b>The Planning Commission shall determine whether existing or planned public facilities are adequate to serve the needs of the subdivision or development.</b>  |
| Rockville   | Montgomery   | <b>120% of Montgomery County Planning Board's projected program capacity and a 110 seat deficit for ES and a 180 seat deficit for MS</b> now or within 5 years. May give conditional approval to a development if inadequate.  |
| Smithsburg  | Washington   | <b>90% of state-rated capacity for ES and 100% of state-rated capacity for MS or HS.</b> Includes CIP within one year. Includes a redistricting option. Developers can propose to create improvements to meet adequacy.  |
| Sudlersville  | Queen Anne's | <b>Queen Anne's County Board of Education shall be consulted regarding the adequacy of school facilities</b>   |
| Sykesville  | Carroll      | <b>Commission shall obtain written certification of the adequacy of schools from the Carroll County Board of Education.</b> The Council will then review the Commission's findings and render a final decision. Can approve plans with modifications or conditions.  |

| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |           |  |
|---|-----------|--|
| Municipality  | County    | Schools  |
| Taneytown   | Carroll   | <b>100% of capacity.</b> Approaching inadequate at 101% to 105% for ES and 101% to 110% for MS or HS. If new schools are planned under CIP within 5 years and schools are approaching inadequacy, then a phased-in schedule is permitted. May conditionally approve an application if there is a CIP within 6 years. May conditionally approve a plan if financial analysis demonstrates that revenue would be available for a specific capital improvement within 6 years. Includes a mitigation plan |
| Thurmont  | Frederick | <b>100% of state-rated capacity.</b> Includes a redistricting option.  |
| Union Bridge  | Carroll   | <b>The Planning Commission shall ensure adequate provisions for public facilities and improvements.</b>  |
| Walkersville  | Frederick | <b>105% of state-rated capacity.</b>   |
| Westminster   | Carroll   | <b>Adequacy determined by the Planning Commission based on recommendations of adequacy required from the appropriate City, County, and State departments or agencies.</b>  |

Table B7: 2025 Municipal Road and Transportation LOS

| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |              |  |
|---|--------------|--|
| Municipality  | County       | Roads/Transportation   |
| Annapolis   | Anne Arundel | <p><b>Motor vehicle adequacy:</b><br/>Traffic impact analysis conducted and will be incorporated into APFO consideration.</p> <p><b>Non-motor vehicle adequacy:</b><br/>Proposed projects shall be served by adequate bicycle facilities, sidewalks, bus shelters (if abutting an existing or planned bus line), and appurtenances necessary at signalized intersections, such as crosswalks, signals, and non-auto curb cuts.</p>   |
| Bel Air   | Harford      | Traffic impact analysis conducted and used to determine the capacity and design of the transportation system. Applicant is made responsible for improvements necessitated by the proposed development based on § 165-118D. Includes roadways, alleys, sidewalks, and bike paths.   |
| Boonsboro   | Washington   | Existing public roads that serve the development shall meet the minimum standards for the Town, County, or State, depending on the road. Includes improvements scheduled to take place within 1 year. May require a traffic impact study for a proposal to be provided by the developer.   |
| Brunswick   | Frederick    | Roads and intersections are adequate if a LOS "D" or better is maintained using the critical lane volume. Signalized intersections are adequate if a LOS "D" or better is maintained using the highway capacity manual. If required, roadway links are adequate if actual capacity does not exceed 80% of rated capacity. Includes CIP within 2 years.   |
| Centreville**   | Queen Anne's | A report or plan showing the adequacy of streets and roads to serve the proposed development is required.  |
| Chesapeake Beach  | Calvert      | Roads should maintain a level "C" service rating based on the highway capacity manual and intersections should maintain a level "D" service rating based on the critical lane method. State roads and intersections should maintain a level "D" service rating". Conditions of adequacy may be imposed if roads are inadequate and if the applicant provides improvements; if county or state roads are substandard, they will be referred to the Calvert County Planning Commission and County Commissioners. |
| Chestertown   | Kent         | The Planning Commission shall determine that roads are adequate to service the proposed development.   |
| Church Hill   | Queen Anne's | The Board of Appeals shall determine if adequate access roads have been or are being provided.   |

| <b>LEVEL OF SERVICE STANDARDS</b><br><b>Municipal Regulations, 2025</b> |               |  |
|---|---------------|--|
| <b>Municipality</b>   | <b>County</b> | <b>Roads/Transportation</b>  |
| <b>Denton</b>   | Caroline      | Developments shall have access from a public road adequate to meet existing and projected traffic loads; off-site road access shall not be hazardous or unsafe. If roads are inadequate, the road should be improved within a year or the developer has elected to place funds in an escrow account to improve the road. Developer may be required to prepare a traffic impact study   |
| <b>Emmitsburg</b>   | Frederick     | A traffic impact analysis shall be prepared and used to determine adequacy by the planning commission. Option for conditional approval and developer provided improvements.  |
| <b>Frederick</b>  | Frederick     | Roads and intersections are adequate if a LOS "D" or better is maintained on all evaluated road segments. Each turn lane in the study area, the 5th percentile of the queue lengths shall not exceed the length of the turn lane. Adequacy may be granted if adequacy cannot be achieved without alteration or removal of existing structures and the developer has incorporated as much mitigation as reasonably possible. Consider CIP within 2 years. If the LOS meets the criteria but changes grades by 2 or more, the Director shall review the project.   |
| <b>Gaithersburg</b>   | Montgomery    | All intersections and/or links within the study area resulting in a Level-of-Service worse than the City's congestion standards (LOS=1450) must be identified and improvements recommended; improvements can include non-automobile transportation amenities. Includes CIP within 4 years.   |
| <b>Hampstead</b>  | Carroll       | All streets, street sections, and intersections should have a critical land analysis rating of "D" or better. Adequacy will be certified by a licensed firm hired by the Town. If a county road is within the designated area, a county certification will be required. If a street or intersection is found inadequate, then the Commission must be reasonably assured a solution will be provided or received within four years of the date of preliminary approval.   |
| <b>Hancock</b>  | Washington    | Existing roads that serve the development shall at a minimum meet the standards in Washington County Engineering Department's publication "A Policy to Determine Adequacy of Existing Roadway for Additional Development". If the road is a state highway, it shall meet the Guidelines for Traffic Impact Reports/Studies. New roads shall be constructed in accordance with standards adopted by the Town and/or Washington County's Specifications for Highway and Street Improvements and the State Highway Administration. A traffic impact study may be required. If a road is deemed inadequate, the developer may improve the road and bring it up to standard at its expense. |
| <b>Havre de Grace</b>   | Harford       | Road intersections in a residential development shall be a LOS "C" or higher if they are in or abutting a residential zoning district and a LOS "D" for all other intersections. Unsignalized intersections not meeting this level of service shall be required to complete a traffic signal warrant analysis. CIP projects with 100% may be considered. Includes a mitigation option. Includes a conditional review option.   |

| <b>LEVEL OF SERVICE STANDARDS</b><br><b>Municipal Regulations, 2025</b> |                 |  |
|---|-----------------|--|
| <b>Municipality</b>   | <b>County</b>   | <b>Roads/Transportation</b>  |
| <b>Indian Head</b>  | Charles         | LOS "C" for off-peak hours and LOS "D" for peak hour. Includes a developer improvement option.   |
| <b>Keedysville</b>  | Washington      | New public roads shall be constructed to meet the requirements set forth by the town, Subdivision ordinance, and other applicable policies. Existing public roads shall meet the standards contained in Washington County Engineering Department's publication "A Policy to Determine Adequacy of Existing Roadway for Additional Development" or the "Guidelines for Traffic Impact Reports/Studies" if the road is a state highway. Includes an option for developer improvement.                                |
| <b>Laurel</b>   | Prince George's | The Planning Commission shall consider the availability or proposal and funding of access roads adequate to serve traffic which would be generated by the subdivision. Also should consider the developments location in relation to public transit and its impact on those facilities. Subdivisions of 5 acres or more or with 10 or more dwelling units shall also be accompanied by an "Adequate Public Facility Analysis" which addresses traffic and transit impacts of the proposed subdivision/development. |
| <b>Manchester</b>   | Carroll         | LOS "D" or better.   |
| <b>Millington*</b>  | Queen Anne's    | Adequate access roads have been or are being provided.   |
| <b>Mount Airy</b>   | Carroll         | LOS "B" or better for roads maintained exclusively by the town and LOS "C" or better for roads maintained by county or state governments. If below the adequacy standards but not below LOS "D", then such street or intersection may still be considered adequate if the proposed development will not degrade such street or intersection by more than 2% based on the volume-to-capacity ratio.   |
| <b>Myersville</b>   | Frederick       | Roads and intersections shall be considered adequate if LOS "D" or better using the critical lane method. Roadway links shall not exceed 90% of rated capacity. Includes CIP within 2 years. Includes conditional approval, developer option, and payments in lieu of providing information.   |
| <b>New Windsor</b>  | Carroll         | LOS "D" or better or if a solution to the inadequacy will be implemented within four years of the date of preliminary approval/three years of the date of final approval. If inadequacy exists, the Commission may limit the number of lots approved, the number of permits to be issued per year, or deny final approval.   |
| <b>Perryville*</b>  | Cecil           | Adequate access roads have been or are being provided.   |

| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |            |  |
|---|------------|--|
| Municipality  | County     | Roads/Transportation   |
| Poolesville   | Montgomery | The subdivision shall be deemed adequately accessible via roads if existing roads are adequate to accommodate the traffic that would be generated by the subject subdivision in addition to existing traffic, and are publicly maintained all-weather roads. Existing or proposed street access within the tract or area is adequate if the streets are adequate to serve or accommodate emergency vehicles, permit the installation of public utilities and other public services, are not detrimental and would not result in the inability to develop adjacent lands in conformity with sound planning practices, will not cause existing street patterns to be fragmented, and will not create a congested or hazardous condition. |
| Port Deposit  | Cecil      | All subdivisions shall have access from a town or county road, or state highway adequate to meet existing and projected traffic loads. Off-site road access shall not be hazardous or unsafe by virtue of inadequate sight distances, width, vertical alignment, horizontal alignment, drainage, surfacing, grades or cross section. If unpaved or inadequate, the road must be paved/improved during the next year or the developer has to elect to place funds in an escrow account to assist in the paving or improvement of the road.  |
| Ridgely   | Caroline   | The Planning Commission shall determine whether existing or planned roads are adequate to serve the needs of the subdivision or development.   |
| Rockville   | Montgomery | Comprehensive Transportation Review focuses on auto, transit, pedestrian, and bicycle LOS<br><b>Transit-Oriented Areas:</b><br>Includes areas in a 7/10ths of a mile accessible walking distance from existing and programmed Metro and MARC stations and programmed fixed-guideway transit stations on dedicated transit rights-of-way. Must include existing or programmed facilities that provide multi-modal access. More congestion allowed. Can claim larger amounts of credit for multi-modal transportation improvements and Transportation Demand Management programs.<br><b>Non-Transit-Oriented Areas:</b><br>Stricter congestion standards.  |
| Smithsburg  | Washington | New public roads to be built as part of the new development shall be constructed to the standards adopted by the Town or the State Highway Administration. Existing public roads that serve the new development shall meet the applicable Town Standards (if town road), the standards contained in the Washington County Engineering publication titled "A Policy To Determine Adequacy of Existing Roadway for Additional Development" (if county road), and the Guidelines for Traffic Impact Reports/Studies (if state road). Roads shall be adequate to accommodate the traffic flow projected to be generated from the new development when combined with existing traffic flow. Includes CIP within 2 years.                    |

| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |              |   |
|---|--------------|---|
| Municipality  | County       | Roads/Transportation  |
| <b>Sudlersville</b>                                       | Queen Anne's | Adequacy is determined by the Planning Commission. It is the responsibility of the subdivider of a major subdivision to determine and prove to the Planning Commission that existing or planned public facilities on- and off-site are adequate to serve the needs of the subdivision.  |
| <b>Sykesville</b>   | Carroll      | Adequacy determined by the Town Council and Town Planning and Zoning Commission based on recommendations of adequacy required from the applicable Town, County, and State departments or agencies.  |
| <b>Taneytown</b>  | Carroll      | LOS "B" or better for roads exclusively maintained by the City and LOS "C" or better for roads not maintained by the City. If the LOS is below its required rating but the proposed development degrades the facility by less than a factor of .02 based on the volume of capacity ration, the transportation facility shall be deemed adequate. If roads reach or exceed LOS "C" for City roads or LOS "D" for roads not maintained by the city they are considered "approaching inadequacy; subject to permitting restrictions. May be conditionally approved if there is a CIP project within 6 years and if a financial analysis by the City Council demonstrates that revenue would be available for a specific capital improvement and would be in sufficient amount to allow improvement to a higher service level within six years. Includes a mitigation option. |
| <b>Thurmont</b>   | Frederick    | Roads and intersections shall be considered adequate if a LOS "D" or better is maintained. The applicant may also be requested to provide roadway mitigation in cases where the LOS meets the criteria but changes the grades by more than three levels. Toadway links shall be determined to be acceptable if actual capacity does not exceed 80% of rated capacity. Includes a conditional approval option, developer option, and escrow fund for road improvements option.   |
| <b>Union Bridge</b>                                       | Carroll      | The Planning Commission shall ensure adequate provisions for public facilities and improvements.  |
| <b>Washington Grove*</b>                                  | Montgomery   | The Board shall find that proposed use is served by adequate public roads and will not reduce the safety of vehicular or pedestrian traffic.  |
| <b>Westminster</b>  | Carroll      | Adequacy determined by the Planning Commission based on recommendations of adequacy required from the appropriate City, County, and State departments or agencies.  |

\* APFO only applies to special exceptions

\*\* APFO only applies to specific zones, districts, or development

Table B8: 2025 Municipal Water LOS

| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |              |   |
|---|--------------|---|
| Municipality  | County       | Water   |
| Aberdeen  | Harford      | Water distribution system is capable of providing the required pressures and flows during the maximum day demand and the minimum required pressures for fire flows; booster stations and/or transmission mains in the service area have sufficient available capacity to provide maximum day demand and minimum required pressure for fire flow. Storage tanks in the service area have sufficient available capacity to provide peak hour demand in addition to fire flow. Source and treatment facilities in the service area have sufficient available capacity to provide maximum day demand. Shall also be found adequate if there are funded projects for improvement or if the developer agrees to construct the improvements; includes a conditional review option.   |
| Annapolis   | Anne Arundel | Each project shall be served by sufficient public water for supply and reserve capacity, as determined by the Director of Public Works in accordance with commonly accepted standards. There shall be adequate storage in the facilities to satisfy the recommendations of the American Water Works Association (AWWA). In the case of the water distribution system there shall be adequate capacity within the system to be able to deliver to a fire scene a minimum of two thousand gallons per minute of water, at a minimum residual pressure of 20 PSI at each fire hydrant. Includes a mitigation option.   |
| Bel Air   | Harford      | The capacity and design of the water supply system shall be based on the standards specified in the Standard Specifications and Details referenced by the Town Code. Shall provide the Town with the existing and anticipated capacity limits of the affected water supply system in terms of average daily demand, peak demand, and fire demand. If the existing off-system does not have adequate capacity, the applicant is responsible for necessary improvements.  |
| Boonsboro   | Washington   | <p>All parts of the system shall be considered when determining adequacy; includes a mitigation option</p> <p><b>Existing public or multi-use water supply and distribution system</b></p> <p>Evaluated by a Maryland Registered Professional Engineer using the Town of Boonsboro Water System Master Plan and Hydraulic Model. Report submitted to the Boonsboro Municipal Utilities Commission and the Town's Consultant Engineer. Adequacy determined by the Planning Commission upon recommendation made by the Utilities Commission</p> <p><b>New community or multi-use water supply and distribution</b></p> <p>Determined by the planning Commission upon recommendations made by the Boonsboro Municipal Utilities Commission. Determined according to adopted guidelines. Shall be consistent with the Washington County Water and Sewerage Plan and the Boonsboro Comprehensive Development Plan.</p> |



| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |              |   |
|---|--------------|---|
| Municipality  | County       | Water   |
| <b>Brunswick</b>  | Frederick    | A public or private water system shall be considered adequate if: (1) the source facilities, storage tanks and local pumping stations have sufficient available capacity to provide maximum day demand to the proposed development and meet peak hour demand in addition to fire flow; and (2) the distribution system is capable of providing normal required pressure as well as minimal residual pressure to the proposed development. No new private wells will be authorized. Includes a conditional approval and developer option.  |
| <b>Cambridge</b>  | Dorchester   | Every subdivision shall be provided with a complete public water distribution system adequate to serve the area being developed with pipe lines, valves, fire hydrants and other water facilities as required. There shall be capacity in the water supply, treatment, and distribution system to serve the subdivision while accounting for the demand created by all existing lots and all approved but as yet unconnected lots.  |
| <b>Centreville**</b>                                      | Queen Anne's | Any application for the designation to a PBD district shall include a report or plan showing the adequacy of public facilities to serve the proposed development, including water.  |
| <b>Chesapeake City</b>                                    | Cecil        | Every subdivision shall be provided with a complete public water distribution system adequate to serve the area being developed with pipe lines, valves, fire hydrants and other water facilities as required. There shall be capacity in the water supply, treatment, and distribution system to serve the subdivision while accounting for the demand created by all existing lots and all approved but as yet unconnected lots.  |
| <b>Chestertown**</b>                                      | Kent         | The Planning Commission shall determine that water facilities are adequate to support and service the proposed subdivision.   |
| <b>Denton</b>   | Caroline     | Source facilities in the service area have sufficient available capacity to provide maximum day demand. Storage tanks in the service area have sufficient available capacity to provide peak hour demand in addition to fire flow. Local pumping stations to provide water to the proposed developments have sufficient available capacity to provide maximum day demand or sufficient capacity to provide for fire flow. Distribution system can provide normal required pressure and minimum residual pressure; may also be considered adequate if there is a contract for construction or improvement and it will be available before the issuance of the building permit. |
| <b>Emmitsburg</b>   | Frederick    | Source facilities, storage tanks, and local pumping stations have sufficient available capacity to provide maximum day demand and fire flow. Distribution system is capable of providing normal required pressure as well as minimal residual pressure. Includes a conditional approval and developer option.   |

| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |            |   |
|---|------------|---|
| Municipality  | County     | Water   |
| Frederick   | Frederick  | Water line capacity is deemed adequate if: (1) the storage tanks, lines, and local pumping stations have sufficient available capacity to provide maximum daily demand to the proposed development and meet peak hour demand in addition to fire flow, taking into account existing and approved system demands; and (2) the existing distribution system is capable of providing normal required pressure as well as minimal residual pressure to the proposed development. Can include CIP within 2 years. Includes a mitigation option.  |
| Gaithersburg  | Montgomery | Development that would create a total water demand that would exceed available supply less an adequate reserve for fire-flow shall not be approved. A minimum of one thousand (1,000) gallons per minute shall be deemed adequate fire-flow for the purposes of this Section. Final water supply adequacy shall be confirmed by the Washington Suburban Sanitary Commission (WSSC) prior to the issuance of development approvals.  |
| Hampstead   | Carroll    | Wells that the developer is required to supply to the Town shall be adequate in terms of quantity and quality. If unable to supply water, the existing water system of the Town must have the excess capacity to service the proposed subdivision.  |
| Hancock   | Washington | <p>No private, individual, one-lot, on-site water supply distribution systems are allowed. All parts of the system considered. Developers may agree to construct necessary infrastructure.</p> <p><b>Existing public or multi use water supply and distribution system</b><br/>Evaluated by a registered professional engineer, adequacy then determined by the Planning Commission upon consideration of the recommendations made by the Town Water Department. Determined according to the Hancock Water Department of Town's adopted guidelines.</p> <p><b>New community or multi use water supply and distribution system</b><br/>Determined by the Planning Commission upon recommendations made by the Town Water Department and the Maryland Department of Environment. Determined according to the Maryland Department of Environment's adopted guidelines.</p> |
| Havre de Grace  | Harford    | Water distribution system is capable of providing the required pressures and flows during the maximum day demand and the minimum required pressures for fire flows. Dooster stations and/or transmission mains in the service area have sufficient available capacity to provide maximum day demand and minimum required pressure for fire flow. Storage tanks in the service area have sufficient available capacity to provide peak hour demand in addition to fire flow. Source and treatment facilities in the service area have sufficient available capacity to provide maximum day demand. Shall also be found adequate if there are funded projects for improvement or if the developer agrees to construct the improvements. Includes a conditional review option.   |

| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |                 |   |
|---|-----------------|---|
| Municipality  | County          | Water   |
| Indian Head   | Charles         | The town's water supply system shall be considered adequate if the (1) source facilities have sufficient available capacity to provide the maximum daily demand to the proposed development, (2) storage tanks have sufficient available capacity to provide peak hour demand, (3) local pumping station have sufficient available capacity to provide maximum day demand where storage facilities are available on the discharge side or fire flow where storage facilities are not available, and (4) the distribution system is capable of providing normal required pressure and minimum residual pressure under fire flow for the type of development planned. May also be considered adequate if the Town has awarded a contract for construction or improvement that will be available before the issuance of the first building permit. |
| Keedysville   | Washington      | <p>All parts of the system shall be considered when determining adequacy. Includes a mitigation option.</p> <p><b>Existing public or multi-use water supply and distribution system</b><br/> Evaluated by a Registered Professional Engineer. Adequacy determined by the Planning Commission upon recommendation made by the Water Board of the Town; determined according to the Water Board's adopted guidelines.</p> <p><b>New community or multi-use water supply and distribution</b><br/> Determined by the planning Commission upon recommendations made by the Water Board. Adequacy shall be determined according to the Maryland Department of Environment's adopted guidelines and the Water Board.</p>  |
| Laurel  | Prince George's | Subdivisions or developments which meet the following criteria shall be deemed adequate: (1) the proposed density is in accord with an adopted plan, or as approved within a Revitalization Overlay Area consistent with the regulations and intent of such areas; and (2) individual water and sewer systems, if pre-existing must be capable of meeting all local, county, and state requirements. Includes a mitigation option. Shall consider the availability of existing or programmed water mains, the distance of any necessary extension of water facilities through unsubdivided lands, and the location of the proposed subdivision in respect to the approved "Prince George's County Ten-Year Water and Sewage Plan".  |
| Manchester  | Carroll         | The Commission shall require that all proposed subdivisions comply with water requirements according to the regulations of the Town Code.   |
| Middletown*   | Frederick       | The Board of Appeals shall determine whether adequate water supply are or can be provided for the use   |
| Millington*   | Queen Anne's    | The Board of Appeals shall determine whether adequate water have been or are being provided   |

| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |            |   |
|---|------------|---|
| Municipality  | County     | Water   |
| <b>Mount Airy</b>   | Carroll    | Service is adequate if the municipal water system is certified as having sufficient available capacity to provide maximum day demand and meet peak-hour demand in addition to fire flow to each "equivalent dwelling unit" or projected usage per lot of the proposed development project without exceeding 80% of overall system capacity, and if the distribution system is capable of providing normal required pressure as well as minimum residual pressure. Projected capacity between 80% and 88% is "approaching inadequate" and subject to phasing restrictions.   |
| <b>Myersville</b>   | Frederick  | Private water systems are prohibited. Average supply capacity shall be the lesser of the annual average daily water withdrawal rate permitted by the Maryland Department of the Environment or the rated capacity of available systems for treating each source of water. Peak supply capacity shall be the lesser of the daily average water withdrawal rate during the month of maximum use permitted by the Maryland Department of the Environment or the rated capacity of available systems for treating each source of water. Must provide minimum peak capacity of 500 gallons per day per residential unit and 1,000 gallons per day per equivalent commercial tap. Includes CIP within three years. Includes a conditional approval option and developer option. |
| <b>New Windsor</b>  | Carroll    | The Commission shall require that all proposed subdivisions comply with water and wastewater requirements according to the regulations of the Code of the Town of New Windsor.  |
| <b>Perryville*</b>  | Cecil      | The Board of Appeals shall determine whether adequate water have been or are being provided   |
| <b>Poolesville</b>  | Montgomery | Facilities may be determined to be adequate when adequate water service has been allocated to the tract or area in accordance with the Water & Sewer Allocation List approved by the Town Commissioners.  |
| <b>Port Deposit</b>                                       | Cecil      | Public water supply for the area in which the subdivision is located shall be adequate and available to handle the additional usage generated by the subdivision; the Planning Commission shall allocate, existing excess capacities in accordance with the Town's policies, interests and priorities; the Planning Commission shall request an evaluation and recommendation from the appropriate authorities as to the adequacy and availability of public water and sewer services.  |
| <b>Ridgely</b>  | Caroline   | The Planning Commission shall determine whether existing or planned water facilities are adequate to serve the needs of the subdivision or development.   |

| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |              |  |
|---|--------------|--|
| Municipality  | County       | Water  |
| Rockville   | Montgomery   | <p>Must receive a certificate of adequacy from the applicable water provider. Option for conditional approval.</p> <p><b>Properties served by the City</b><br/>The average daily raw water withdrawal and maximum daily raw water withdrawal from the Potomac River shall not exceed Maryland Department of the Environment allocation for the City. Peak day water production shall not exceed the maximum capacity of the Rockville Water Treatment Plant and water pumping stations. A minimum fire flow standard of 1,000 gallons per minute is achieved for single family detached housing, at the closest accessible public fire hydrants. A minimum fire flow standard of 2,000 gpm is achieved for other uses at a public fire hydrant within 1,000 feet of a property.</p> <p><b>Properties served by the Washington Suburban Sanitary Commission</b><br/>LOS is established by WSSC.</p>   |
| Smithsburg  | Washington   | <p>All parts of the system shall be considered when determining adequacy. Includes a mitigation option.</p> <p><b>On-site system</b><br/>Evaluated by a Maryland registered professional engineer. Determined by the Planning Commission upon recommendation by the Washington County Health and Human Services Department.</p> <p><b>Existing public or multi-use water supply and distribution system</b><br/>Evaluated by a registered professional engineer. Adequacy determined by the Planning Commission upon recommendation made by the Hagerstown Water Department, Washington County Department of Water Quality, the Town's Public Works Department, and other municipal governments or agencies.</p> <p><b>New community or multi-use water supply and distribution</b><br/>Determined by the Planning Commission upon recommendations made by the Hagerstown Water Department, Washington County Department of Water Quality, the Town's Public Works Department, and the Maryland Department of the Environment.</p> |
| Sudlersville  | Queen Anne's | Adequacy is determined by the Planning Commission. It is the responsibility of the subdivider of a major subdivision to determine and prove to the Planning Commission that existing or planned public facilities on- and off-site are adequate to serve the needs of the subdivision.   |
| Sykesville  | Carroll      | Adequacy determined by the Town Council and Town Planning and Zoning Commission based on recommendations of adequacy required from the applicable Town and County departments or agencies.   |
| Taneytown   | Carroll      | The proposed development's water demand, including source, storage and transmission, shall not exceed the capacity of the City's existing water system with improvements proposed as part of the subdivision plan.   |

| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |            |   |
|---|------------|---|
| Municipality  | County     | Water   |
| <b>Thurmont</b>   | Frederick  | The Municipal water system shall be considered adequate if: (1) the source facilities, storage tanks and pumping stations have sufficient available capacity to serve the proposed development in addition to fire flow; and (2) the distribution system is capable of providing normal required pressure as well as minimal residual pressure to the proposed development. Available capacity shall be determined as being 80% of the Town's rated well capacity minus the town's current maximum day demand. No new site plans or preliminary subdivisions likely to result in increased water use shall be approved during stage 3 drought warning or stage 4 drought emergency. Includes an option for conditional approval and developer improvements. |
| <b>Union Bridge</b>                                       | Carroll    | The Planning Commission shall ensure adequate provisions for public facilities and improvements.  |
| <b>Walkersville</b>                                       | Frederick  | The Town's water system shall be considered adequate if: (1) the source facilities, treatment facilities, storage tanks and pumping stations have sufficient available capacity to serve the proposed development and peak hour demand in addition to fire flow; and (2) the distribution system is capable of providing normal required pressure as well as minimal residual pressure to the proposed development.   |
| <b>Washington Grove*</b>                                  | Montgomery | The Board shall find that proposed use is served by adequate water facilities.  |
| <b>Westminster</b>  | Carroll    | Adequacy determined by the Planning Commission based on recommendations of adequacy required from the appropriate City, County, and State departments or agencies.  |

\* APFO only applies to special exceptions

\*\* APFO only applies to specific zones, districts, or development

Table B9: 2025 Municipal Sewer LOS

| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |              |  |
|---|--------------|--|
| Municipality  | County       | Sewer  |
| Aberdeen  | Harford      | Collector systems, interceptors, pumping stations and force mains, and treatment plants have sufficient available capacity to accommodate expected peak flow, peak gravity flows, and annual average and maximum daily loadings. Can also be considered adequate if there are City funded projects for improvements, if the developer agrees to construct improvements to the system, or through conditional approval.   |
| Annapolis   | Anne Arundel | Each project shall be served by sufficient public sewage for sewage flows, as determined by the Director of Public Works in accordance with commonly accepted standards. Includes a mitigation option.   |
| Bel Air   | Harford      | The capacity and the design of the sanitary sewer system shall be based on the criteria in the Standard Specifications and Details. The applicant shall provide the Town with the existing and anticipated peak-hour flows, daily flows, as well as capacity limits of the affected sewer system. If the existing off-site system does not have adequate capacity, flows, the applicant is responsible for the necessary improvement.  |
| Boonsboro   | Washington   | <b>Existing community or multi-use sewage disposal system</b><br>Evaluated by a Maryland Registered Professional Engineer. Adequacy determined by the Planning Commission upon consideration of the recommendation of the Utilities Commission.<br><b>New community or multi-use sewage disposal system</b><br>Determined by the Planning Commission upon recommendations made by the Boonsboro Municipal Utilities. Commission shall be consistent with the Washington County Water and Sewerage Plan and the Comprehensive Development Plan for Boonsboro. Shall consider all parts of the sewage disposal system. Includes a mitigation option. |
| Brunswick   | Frederick    | A sewerage system shall be considered adequate if the systems designed to serve the proposed development are sufficient to accommodate ultimate peak flows. No new private septic systems will be authorized. Includes a conditional approval and developer option.  |
| Cambridge   | Dorchester   | Every subdivision shall be provided with the sewer disposal system and facilities approved by the Health Department, the appropriate State agency, and the City. There shall be capacity at the wastewater treatment plan to accommodate the demand of the subdivision while accounting for the demand created by all existing lots and all approved but as yet unconnected lots.  |

| <b>LEVEL OF SERVICE STANDARDS</b><br><b>Municipal Regulations, 2025</b> |               |  |
|---|---------------|--|
| <b>Municipality</b>   | <b>County</b> | <b>Sewer</b>   |
| <b>Centreville**</b>  | Queen Anne's  | Any application for the designation to a PBD district shall include a report or plan showing the adequacy of public facilities to serve the proposed development, including sewer.   |
| <b>Chesapeake City</b>  | Cecil         | Every subdivision shall be provided with the sewer disposal system and facilities approved by the Cecil County Health Department, the appropriate state agency, and the Town. There shall be capacity at the wastewater treatment plant to accommodate the demand of the subdivision while accounting for the demand created by all existing lots and all approved but as yet unconnected lots.      |
| <b>Chestertown**</b>  | Kent          | The Planning Commission shall determine that sewer facilities are adequate to support and service the proposed subdivision.  |
| <b>Denton</b>   | Caroline      | Lateral systems, interceptors, pumping stations and force mains, and treatment plants have sufficient available capacity to accommodate expected peak flows, ultimate gravity flows, and average daily flows. Shall also be considered adequate if the Town has awarded a contract for the construction or improvement of facilities or if the developer has posted a bond satisfactory to the Town. |
| <b>Emmitsburg</b>   | Frederick     | The proposed capacity usage will be evaluated relative to the existing available units of treatment capacity at the wastewater treatment facility on Creamery Road. Sewage treatment taps will be allocated according to a plan developed by town staff that will assign the number of taps and a time frame in which to use them. Includes a conditional approval and developer option.             |
| <b>Frederick</b>  | Frederick     | Sewer line capacity is deemed adequate if the sewer interceptors, lines, and local pump stations have sufficient capacity to accommodate the ultimate peak flow for the proposed project taking into account existing and approved system demands. Includes a mitigation option.   |
| <b>Gaithersburg</b>   | Montgomery    | Development that would cause the city to exceed transmission capacity available at Blue Plains Wastewater Treatment Plant, Seneca Wastewater Treatment Plant, or other facilities as determined by WSSC shall not be approved. Final sewer transmission capacity shall be confirmed by WSSC prior to the issuance of development approvals.  |
| <b>Hampstead</b>  | Carroll       | The proposed subdivision shall be certified by the county as to the county's ability to provide the sewerage capacity necessary for the proposed subdivision. The certification must indicate whether the county has the proper permit(s) and capacity to accommodate the additional sewerage of the proposed subdivision.   |



| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |            |  |
|---|------------|--|
| Municipality  | County     | Sewer  |
| Hancock   | Washington | <p>No private, individual, one-lot, on-site septic disposal systems are allowed within the Town of Hancock. All parts of the sewage disposal system shall be considered. Developers may agree to construct necessary infrastructure.</p> <p><b>Existing community or multi-use sewage disposal systems</b><br/>Determined by the Planning Commission after the recommendation and evaluation by the Sewer Board and the Mayor and Council of the Town of Hancock.</p> <p><b>New community or multi-use sewage disposal systems</b><br/>Determined by the Planning Commission after receiving the recommendation and evaluation by the Sewer Board of the Town of Hancock and the Maryland Department of Environment. Shall be consistent with the Comprehensive Plan for the Town of Hancock and the Comprehensive Plan for Washington County.</p> |
| Havre de Grace  | Harford    | <p>Collector systems, interceptors, pumping stations and force mains, and treatment plants have sufficient available capacity to accommodate expected peak flow, peak gravity flows, and annual average and maximum daily loadings. Can also be considered adequate if there are City funded projects for improvements, if the developer agrees to construct improvements to the system, or through conditional approval.</p>  |
| Indian Head   | Charles    | <p>Lateral systems, interceptors, pumping stations and force mains, and the Indian Head treatment plant have sufficient available capacity to accommodate expected peak flows, ultimate gravity flows, and average daily flows. Shall also be considered adequate if the Town has awarded a contract for the construction or improvement of facilities.</p>  |
| Keedysville   | Washington | <p>No private, individual, one-lot, on-site septic disposal systems are allowed within the Town of Keedysville. All parts of the sewage disposal system shall be considered. Developers may agree to construct necessary infrastructure.</p> <p><b>Existing community or multi-use sewage disposal system</b><br/>Determined by the Planning Commission after the recommendation by the Mayor and Council, and/or a consultant designated by said body, and the Washington County Water and Sewer Department.</p> <p><b>New community or multi-use sewage disposal system</b><br/>Determined by the Planning Commission after the recommendation and evaluation by the Washington County Water and Sewer Department and the Maryland Department of Environment.</p>  |

| <b>LEVEL OF SERVICE STANDARDS</b><br><b>Municipal Regulations, 2025</b> |                 |  |
|---|-----------------|--|
| <b>Municipality</b>   | <b>County</b>   | <b>Sewer</b>   |
| <b>Laurel</b>   | Prince George's | Subdivisions or developments which meet the following criteria shall be deemed adequate: (1) the proposed density is in accord with an adopted plan, or as approved within a Revitalization Overlay Area consistent with the regulations and intent of such areas; and (2) individual water and sewer systems, if pre-existing must be capable of meeting all local, county, and state requirements. Includes a mitigation option. Shall consider the availability of existing or programmed sewage mains, the distance of any necessary extension of sewage facilities through unsubdivided lands, and the location of the proposed subdivision in respect to the approved "Prince George's County Ten-Year Water and Sewage Plan". |
| <b>Manchester</b>   | Carroll         | The Town Public Works Director shall certify as to the Town ability to provide the sewerage capacity necessary for the proposed subdivision.   |
| <b>Middletown*</b>  | Frederick       | The Board of Appeals shall determine whether adequate sewage disposal is or can be provided for the use.   |
| <b>Millington*</b>  | Queen Anne's    | The Board of Appeals shall determine whether adequate sewer or septic systems have been or are being provided.   |
| <b>Mount Airy</b>   | Carroll         | Service is adequate if the municipal sanitary sewer system is certified to provide the sewerage capacity necessary for the proposed development project without exceeding 80% of overall system capacity. Projected capacity between 80% and 88% is "approaching inadequate" and subject to phasing restrictions.  |
| <b>Myersville</b>   | Frederick       | Private sewerage systems are prohibited in the Town of Myersville. Shall be considered adequate if the systems designed to serve the proposed development are sufficient to accommodate average daily flows. May also be considered adequate if improvements to or construction of facilities are scheduled in the first three years of the CIP. Includes a conditional approval option and developer option.  |
| <b>New Windsor</b>  | Carroll         | The Town of New Windsor or its designer shall certify as to the Town ability to provide the sewerage capacity necessary for the proposed subdivision.  |
| <b>Perryville*</b>  | Cecil           | The Board of Appeals shall determine whether adequate sewer or septic systems have been or are being provided.   |
| <b>Poolesville</b>  | Montgomery      | Facilities may be determined to be adequate when adequate sewer service has been allocated to the tract or area in accordance with the Water & Sewer Allocation List approved by the Town Commissioners.   |

| <b>LEVEL OF SERVICE STANDARDS</b><br><b>Municipal Regulations, 2025</b> |               |  |
|---|---------------|--|
| <b>Municipality</b>   | <b>County</b> | <b>Sewer</b>   |
| <b>Port Deposit</b>   | Cecil         | Public sewerage services for the area in which the subdivision is located shall be adequate and available to handle the additional usage generated by the subdivision. The Planning Commission shall allocate, existing excess capacities in accordance with the Town's policies, interests and priorities. The Planning Commission shall request an evaluation and recommendation from the appropriate authorities as to the adequacy and availability of public water and sewer services.  |
| <b>Ridgely</b>  | Caroline      | The Planning Commission shall determine whether existing or planned sewer facilities are adequate to serve the needs of the subdivision or development.  |
| <b>Rockville</b>  | Montgomery    | <p>Must receive a certificate of adequacy from the applicable water provider. Option for conditional approval.</p> <p><b>Properties served by the City</b><br/> Wastewater treatment capacity at DC Water's Blue Plains Advanced Wastewater Treatment Plant shall not exceed the City's allocated capacity for average daily wastewater flow. Peak wastewater flow for the hydraulic conveyance capacity in the Rockville and WSSC sewer collection systems and pumping stations shall not exceed the crown of the pipe for collector systems and four feet below the rim elevations for trunk sewers and shall not exceed the maximum capacity for any pumping station. Peak wastewater flow at any City of Rockville/WSSC boundary shall not exceed the authorized flow limit.</p> <p><b>Properties served by the Washington Suburban Sanitary Commission</b><br/> LOS is established by WSSC.</p> |
| <b>Smithsburg</b>   | Washington    | <p>All parts of the sewage disposal system shall be evaluated. Includes a mitigation option</p> <p><b>Private, individual, on-site septic disposal system</b><br/> Determined by the Planning Commission, upon recommendation by the Washington County Health and Human Services Department.</p> <p><b>Existing community or multi use sewage disposal systems</b><br/> Determined by the Planning Commission after receiving a recommendation by the responsible agency.</p> <p><b>New community or multi use sewage disposal system</b><br/> Determined by the Planning Commission after receiving the recommendation by the Town's Public Works Department, the Washington County Department of Water Quality, Division of Environmental Management, and the Maryland Department of the Environment.</p>  |

| <b>LEVEL OF SERVICE STANDARDS</b><br><b>Municipal Regulations, 2025</b> |               |   |
|---|---------------|---|
| <b>Municipality</b>   | <b>County</b> | <b>Sewer</b>  |
| <b>Sudlersville</b>   | Queen Anne's  | Adequacy is determined by the Planning Commission. It is the responsibility of the subdivider of a major subdivision to determine and prove to the Planning Commission that existing or planned public facilities on- and off-site are adequate to serve the needs of the subdivision.  |
| <b>Sykesville</b>   | Carroll       | Adequacy determined by the Town Council and Town Planning and Zoning Commission based on recommendations of adequacy required from the applicable Town and County departments or agencies.  |
| <b>Taneytown</b>  | Carroll       | The proposed development's sewage requirements, including conveyance and treatment, shall not exceed the capacity of the City's existing sewer system with improvements proposed as part of the subdivision plan. If inadequate, the developer shall provide the necessary minimum additional capacity to serve the proposed development. |
| <b>Thurmont</b>   | Frederick     | The municipal sewerage system shall be considered adequate if the systems designed to serve the proposed development are sufficient based on MDE rated capacity to accommodate ultimate peak flows. Includes an option for conditional approval and developer improvements.   |
| <b>Union Bridge</b>   | Carroll       | The Planning Commission shall ensure adequate provisions for public facilities and improvements.  |
| <b>Washington Grove*</b>  | Montgomery    | The Board shall find that proposed use is served by adequate sanitary sewer facilities.   |
| <b>Westminster</b>  | Carroll       | Adequacy determined by the Planning Commission based on recommendations of adequacy required from the appropriate City, County, and State departments or agencies.  |

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\*\* APFO only applies to specific zones, districts, or development

Table B10: 2025 Municipal Stormwater LOS

| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |              |   |
|---|--------------|---|
| Municipality  | County       | Stormwater Drainage   |
| Annapolis   | Anne Arundel | All public and private stormwater infrastructure as installed within a receiving drainage area shall be capable of handling a ten-year storm as calculated prior to installation. Shall comply with the provisions of Chapter 17.10 of the Annapolis City Code. Includes a mitigation option.   |
| Bel Air   | Harford      | Adequacy shall be based on the capacity and the design of the drainage system to accommodate stormwater runoff based on the standards specified in the Standard Specifications and Details referenced by the Town Code at the time of the engineering plans approval. The capacity of the improved system required for the development and areas outside of the development tributary to the drainage system shall be determined by the applicant, subject to approval of the Director of Public Works. The plans for the improved system shall be prepared by the applicant along with the estimated cost of the improved system, to be approved by the Director of Public Works. If inadequate, the applicant shall be responsible for necessary improvements |
| Centreville**   | Queen Anne's | Any application for the designation to a PBD district shall include a report or plan showing the adequacy of public facilities to serve the proposed development, including drainage, along with a general plan for sedimentation and erosion control and stormwater management.  |
| Church Hill   | Queen Anne's | The Board of Appeals shall determine if adequate drainage has been or are being provided.   |
| Denton  | Caroline     | All developments shall have appropriate stormwater management facilities to effectively and efficiently address stormwater requirements as required by Chapter 106, Stormwater Management, and provide drainage for roads and all lots. The Town Engineer shall advise the Planning Commission on the proposed stormwater management facilities' adequacy.  |
| Indian Head   | Charles      | The adequacy of a storm drainage system considers whether the on-site or off-site drainage system to be installed by the developer will be capable of conveying the design flow of stormwater runoff originating in the development, in addition to any flow from existing and future upstream developments, without resulting in erosion, sedimentation or flooding. Considers whether the Town has projects which have been awarded a contract for the construction or improvement of facilities.   |
| Middletown*   | Frederick    | The Board of Appeals shall determine whether adequate storm drainage is or can be provided for the use.   |
| Millington*   | Queen Anne's | The Board of Appeals shall determine whether adequate storm drainage has been or are being provided.  |

| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |              |   |
|---|--------------|---|
| Municipality  | County       | Stormwater Drainage   |
| <b>Perryville*</b>  | Cecil        | The Board of Appeals shall determine whether adequate storm drainage has been or are being provided.  |
| <b>Port Deposit</b>                                       | Cecil        | All subdivisions shall have a drainage outlet adequate in size and grade to efficiently remove stormwater and provide drainage for roads and all lots. The County Engineer may advise the Planning Commission as to whether an adequate drainage outlet exists.   |
| <b>Ridgely</b>  | Caroline     | The Planning Commission shall determine whether existing or planned public facilities are adequate to serve the needs of the subdivision or development.  |
| <b>Sudlersville</b>                                       | Queen Anne's | Every subdivision shall be provided with a positive drainage system adequate to collect and dispose of all water originating on or flowing across the property without inundating or damaging roads, lots or other property. The subdivider shall demonstrate that adequate drainage outlets exist, or shall be responsible for providing such outlets. |
| <b>Sykesville</b>   | Carroll      | Adequacy determined by the Town Council and Town Planning and Zoning Commission based on recommendations of adequacy required from the applicable Town and County departments or agencies.  |
| <b>Taneytown</b>  | Carroll      | The adequacy of a storm drainage system considers whether the on-site or off-site drainage system to be installed by the developer will be capable of conveying the design flow of stormwater runoff originating in the development, in addition to any flow from existing and future upstream developments.  |
| <b>Union Bridge</b>                                       | Carroll      | The Planning Commission shall ensure adequate provisions for public facilities and improvements.  |
| <b>Washington Grove*</b>                                  | Montgomery   | The Board shall find that proposed use is served by adequate storm drainage facilities.   |
| <b>Westminster</b>  | Carroll      | Adequacy determined by the Planning Commission based on recommendations of adequacy required from the appropriate City, County, and State departments or agencies.  |

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Table B11: 2025 Municipal Healthcare LOS

| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |            |   |
|---|------------|---|
| Municipality  | County     | Healthcare  |
| <b>Barnesville</b>  | Montgomery | The Planning Commissioners shall determine that health clinics in the service area for the subdivision are currently adequate and the applicant provides written assurances that adequate public utility services will be available to serve the proposed subdivision.                |
| <b>Poolesville</b>  | Montgomery | Facilities may be determined to be adequate to service a tract of land or an affected area when current physical health clinics are adequate and the applicant provides written assurances that adequate public utility services will be available to serve the proposed subdivision. |
| <b>Sykesville</b>   | Carroll    | Adequacy determined by the Town Council and Town Planning and Zoning Commission based on recommendations of adequacy required from the applicable Town and County departments or agencies.  |
| <b>Union Bridge</b>                                       | Carroll    | The Planning Commission shall ensure adequate provisions for public facilities and improvements.  |
| <b>Westminster</b>  | Carroll    | Adequacy determined by the Planning Commission based on recommendations of adequacy required from the appropriate City, County, and State departments or agencies.  |

Table B12: 2025 Municipal Fire/EMS LOS

| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |              |   |
|---|--------------|---|
| Municipality  | County       | Fire/EMS  |
| Annapolis   | Anne Arundel | Measured annually, response times shall be, for 90% of incidents: (1) for fire, within 4 minutes for the initial response or within 8 minutes for full alarm assignment; (2) for Emergency Management Service (EMS) first responder with Automated External Defibrillator, within 4 minutes; and (3) for EMS with Advanced Life Support (ALS), within 8 minutes. Fire flow and flow duration shall be maintained at levels of service throughout the City in compliance with fire prevention codes. Includes a mitigation option. |
| Barnesville   | Montgomery   | The Planning Commissioners shall determine that fire houses in the service area for the subdivision are currently adequate and the applicant provides written assurances that adequate public utility services will be available to serve the proposed subdivision.   |
| Bel Air   | Harford      | The applicant is responsible for a proportionate share of improvements necessitated by the proposed development, based on the Development Regulations, the Community Facilities and Transportation Elements of the currently adopted Comprehensive Plan, including but not limited to parks and recreation, police and fire protection.   |
| Chestertown**   | Kent         | The Planning Commission shall determine that fire facilities are adequate to support and service the proposed subdivision.  |
| Denton  | Caroline     | Fire protection services and facilities for the area in which the development is located shall be adequate to protect the residents' lives and property.  |
| Emmitsburg  | Frederick    | Adequacy of emergency services will be evaluated with the assistance of Frederick County Emergency Services and/or other Frederick County departments.  |
| Gaithersburg  | Montgomery   | A ten (10) minute full response availability shall be provided for all proposed development. A full response time is defined as the time required for receiving, processing, and traveling to the site of an emergency call from at least two (2) stations. Fire and rescue stations included and receiving funding in the Montgomery County Capital Improvements Program (CIP) shall be counted towards this requirement.  |
| Hampstead   | Carroll      | The County Fire Protection Engineer shall certify that the local Fire Department has the ability to adequately access and provide the proposed subdivision with fire protection and emergency services.   |



| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |                 |   |
|---|-----------------|---|
| Municipality  | County          | Fire/EMS  |
| <b>Hancock</b>  | Washington      | The Planning Commission requires adequate interim fire protection systems in new commercial and industrial developments which are located in designated urban or town growth areas where public water service is not anticipated within two years. This interim fire protection system must be capable of providing the same level of fire protection as if it were connected to a public water system. The adequacy of an interim fire protection system shall be determined by the Planning Commission after receiving recommendations from town departments. Standards established by the Maryland State Fire Marshal shall be used in the review and approval of the interim fire protection system.                                      |
| <b>Indian Head</b>  | Charles         | A proposed development shall be considered to be adequately served by fire-suppression facilities if the facility is served by:<br>(1) A water system capable of delivering 500 gpm or more for a period of two hours at a minimum pressure of 20 psi, plus consumption at the maximum daily rate (twenty-four-hour period which the highest consumption is recorded in the latest three-year period).  |
| <b>Keedysville</b>  | Washington      | The Town requires adequate interim fire protection systems in new commercial and industrial developments of more than 2,000 square feet which are located in designated urban or town growth areas where public water service is not anticipated within two years. This interim fire protection system must be capable of providing the same level of fire protection as if it were connected to a public water system. The adequacy of an interim fire protection system shall be determined by the Planning Commission after receiving recommendations from the Town Water Board. Standards established by the Maryland State Fire Marshal shall be used in the review and approval of the interim fire protection system.                  |
| <b>Laurel</b>   | Prince George's | The Planning Commission shall consider the availability within a reasonable distance, and the adequacy of fire services or other public services deemed necessary.  |
| <b>Manchester</b>   | Carroll         | The proposed subdivision shall be certified by the County Fire Protection Engineer and the Chief of the Town Fire Department as to the Town ability to adequately access the proposed subdivision and to adequately respond and provide the necessary fire protection and emergency services.   |
| <b>Middletown*</b>  | Frederick       | The Board of Appeals shall determine whether adequate fire protection is or can be provided for the use.  |
| <b>Mount Airy</b>   | Carroll         | Services are adequate if: (1) Projected number of late and no responses is less than 15%, and the total number of no responses is less than 4%, measured on a quarterly basis; (2) Using an average over the previous 12 months, response time is eight minutes or less from time of dispatch to on-scene arrival with adequate apparatus and personnel 90% of the time; (3) All bridges and roads for the most direct route or acceptable secondary route to the proposed development project are adequate to support fire and emergency response apparatus; and (4) There exists sufficient water flow, from hydrants or other acceptable water sources, for use by emergency response apparatus to serve the proposed development project. |

| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |              |   |
|---|--------------|---|
| Municipality  | County       | Fire/EMS  |
| New Windsor   | Carroll      | The proposed subdivision shall be certified by the County Fire Protection Engineer and the Chief of the New Windsor Fire Department as to the New Windsor Fire Department ability to adequately access the proposed subdivision and to adequately respond and provide the necessary fire protection and emergency services.   |
| Poolesville   | Montgomery   | Facilities may be determined to be adequate to service a tract of land or an affected area when current physical firehouses are adequate and the applicant provides written assurances that adequate public utility services will be available to serve the proposed subdivision.   |
| Port Deposit  | Cecil        | Fire protection and emergency services and facilities for the area in which the subdivision is located shall be adequate to protect the lives and property of the residents of the subdivision.   |
| Ridgely   | Caroline     | The Planning Commission shall determine whether existing or planned public facilities are adequate to serve the needs of the subdivision or development.  |
| Smithsburg  | Washington   | The Town requires adequate interim fire protection systems in new commercial and industrial developments which are located in designated urban or town growth areas where public water service is not anticipated within two years. This interim fire protection system must be capable of providing the same level of fire protection as if it were connected to a public water system. The adequacy of an interim fire protection system shall be determined by the Planning Commission after receiving recommendations from various Town departments. Standards established by the Maryland State Fire Marshal shall be used in the review and approval of the interim fire protection system. |
| Sudlersville  | Queen Anne's | Every subdivision of lots of such size as to require a community water system shall provide an adequate number of appropriately spaced fire hydrants and other necessary fire protection facilities. The source of water supply and quantity and location of the fire hydrants and other fire protection facilities shall be sufficient as required by Town or County standards, whichever may be controlling.  |
| Sykesville  | Carroll      | Adequacy determined by the Town Council and Town Planning and Zoning Commission based on recommendations of adequacy required from the applicable Town and County departments or agencies.  |
| Taneytown   | Carroll      | Services are adequate if the City can adequately access and provide the site with fire protection and emergency services, and serve the site within 10 minutes with a standard of late of no response not more than 15%, or no response of not more than 4%.  |
| Union Bridge  | Carroll      | The Planning Commission shall ensure adequate provisions for public facilities and improvements.  |

| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |            |  |
|---|------------|--|
| Municipality  | County     | Fire/EMS   |
| Washington Grove*   | Montgomery | The Board shall find that proposed use is served by adequate fire protection facilities.   |
| Westminster   | Carroll    | Adequacy determined by the Planning Commission based on recommendations of adequacy required from the appropriate City, County, and State departments or agencies. |

\* APFO only applies to special exceptions

\*\* APFO only applies to specific zones, districts, or development

Table B13: 2025 Municipal Police LOS

| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |                 |   |
|---|-----------------|---|
| Municipality  | County          | Police  |
| Annapolis   | Anne Arundel    | The ratio of police officers shall not be less than 3.2 officers per every one thousand City residents. The average response time within the City shall not be greater than two minutes and thirty seconds for a priority one emergency response and for the initial annual period. Any subsequent average response time shall not increase more than ten percent from the annual period immediately prior. |
| Barnesville   | Montgomery      | The Planning Commissioners shall determine that police stations in the service area for the subdivision are currently adequate and the applicant provides written assurances that adequate public utility services will be available to serve the proposed subdivision.   |
| Bel Air   | Harford         | The applicant is responsible for a proportionate share of improvements necessitated by the proposed development, based on the Development Regulations, the Community Facilities and Transportation Elements of the currently adopted Comprehensive Plan, including but not limited to parks and recreation, police and fire protection.   |
| Chestertown**   | Kent            | The Planning Commission shall determine that fire facilities are adequate to support and service the proposed subdivision.  |
| Emmitsburg  | Frederick       | Adequacy of emergency services will be evaluated with the assistance of Frederick County Emergency Services and/or other Frederick County departments.  |
| Hampstead   | Carroll         | Shall be certified by the Chief of the Town Police Department as to the Department's ability to provide adequate police protection. A ratio of one officer to every 1,000 citizens shall be deemed adequate.  |
| Laurel  | Prince George's | The Planning Commission shall consider the availability within a reasonable distance, and the adequacy of police services.  |
| Manchester  | Carroll         | The Town Police Chief shall certify as to the ability of the Department to provide adequate police protection. A ratio of one officer to every 1,000 citizens shall be deemed adequate.   |
| Middletown*   | Frederick       | The Board of Appeals shall determine whether adequate police protection is or can be provided for the use.  |
| Mount Airy  | Carroll         | Services are adequate if the ratio of police personnel to population will not exceed 1,000 people for 1.1 officers and to provide services to existing residences and businesses as well as the proposed development.   |

| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |            |   |
|---|------------|---|
| Municipality  | County     | Police  |
| New Windsor   | Carroll    | The Carroll County Sheriff's Office shall certify as to the ability of his office to provide adequate police protection. A ratio of one officer to every 1,000 citizens shall be deemed adequate.   |
| Poolesville   | Montgomery | Facilities may be determined to be adequate to service a tract of land or an affected area when current physical police stations are adequate and the applicant provides written assurances that adequate public utility services will be available to serve the proposed subdivision.  |
| Port Deposit  | Cecil      | Police for the area in which the subdivision is located shall be adequate to protect the lives and property of the residents of the subdivision.  |
| Ridgely   | Caroline   | The Planning Commission shall determine whether existing or planned public facilities are adequate to serve the needs of the subdivision or development.  |
| Sykesville  | Carroll    | Adequacy determined by the Town Council and Town Planning and Zoning Commission based on recommendations of adequacy required from the applicable Town and County departments or agencies.  |
| Taneytown   | Carroll    | Services are adequate if the ratio of police officers to citizens is not more than two officers per every 1,000 residents considering City and any significant county and/or state coverage. If the ratio is greater, but the City has plans to add police protection within 3 years to reach the adequate level, then development can be approved subject to phasing restrictions. |
| Union Bridge  | Carroll    | The Planning Commission shall ensure adequate provisions for public facilities and improvements.  |
| Washington Grove*   | Montgomery | The Board shall find that proposed use is served by adequate police protection facilities.  |
| Westminster   | Carroll    | Adequacy determined by the Planning Commission based on recommendations of adequacy required from the appropriate City, County, and State departments or agencies.  |

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Table B14: 2025 Municipal Solid Waste LOS

| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |              |   |
|---|--------------|---|
| Municipality  | County       | Solid Waste   |
| <b>Denton</b>   | Caroline     | Solid waste collection facilities serving the area in which the development is located shall be adequate to handle the additional waste generated by the development residents. Includes a mitigation option.   |
| <b>Hampstead</b>  | Carroll      | Service is adequate if the City has adequate ability to provide the site with solid waste removal under the current contract.   |
| <b>Port Deposit</b>                                       | Cecil        | Solid waste collection facilities serving the area in which the subdivision is located shall be adequate. Includes a mitigation option.   |
| <b>Ridgely</b>  | Caroline     | The Planning Commission shall determine whether existing or planned public facilities are adequate to serve the needs of the subdivision or development.  |
| <b>Sudlersville</b>                                       | Queen Anne's | It is the responsibility of the subdivider of a major subdivision to determine and prove to the Planning Commission that existing or planned public facilities on- and off-site are adequate to serve the needs of the subdivision.   |
| <b>Sykesville</b>   | Carroll      | Adequacy determined by the Town Council and Town Planning and Zoning Commission based on recommendations of adequacy required from the applicable Town and County departments or agencies.  |
| <b>Taneytown</b>  | Carroll      | Service is adequate if the City has adequate ability to provide the site with solid waste removal under the current contract. If a secondary or new contract is planned to be in place to serve homes as they are occupied, then development can be approved subject to phasing restrictions. |
| <b>Union Bridge</b>                                       | Carroll      | The Planning Commission shall ensure adequate provisions for public facilities and improvements.  |
| <b>Westminster</b>  | Carroll      | Adequacy determined by the Planning Commission based on recommendations of adequacy required from the appropriate City, County, and State departments or agencies.  |

Table B15: 2025 Municipal Parks & Recreation LOS

| LEVEL OF SERVICE STANDARDS<br>Municipal Regulations, 2025 |                 |  |
|---|-----------------|--|
| Municipality  | County          | Parks and Rec  |
| Annapolis   | Anne Arundel    | Development shall have 1,000 square feet of public recreational space per each single family detached dwelling unit, 750 sq. ft. of public recreational space per each single-family attached dwelling unit, and 500 sq. ft. of public recreational space per each multifamily dwelling unit, two-family dwelling unit, or dwelling unit above the ground floor of nonresidential uses, within such proposed project or within a public recreational facility within one-half miles of the proposed project.             |
| Bel Air   | Harford         | The applicant is responsible for a proportionate share of improvements necessitated by the proposed development, based on the Development Regulations, the Community Facilities and Transportation Elements of the currently adopted Comprehensive Plan, including but not limited to parks and recreation, police and fire protection.  |
| Chestertown**   | Kent            | The Planning Commission shall determine that parks and recreation facilities are adequate to support and service the proposed subdivision  |
| Laurel  | Prince George's | The Planning Commission shall consider the availability within a reasonable distance, and the adequacy of park and recreation services.  |
| Mount Airy  | Carroll         | Provisions are adequate if the ratio of parks and open space acreage to population will meet or exceed at least three acres per 100 persons. Until such time as the Town's inventory of parks and open space meets the standard, the Planning Commission may waive strict application of the standard, provided that each development project that is granted a waiver provides at least three acres of park and open space per 100 persons, of projected population from residents in the proposed development project. |
| New Windsor   | Carroll         | The Commission shall consider whether the proposed subdivision will create or add to an inadequacy in recreation facilities.   |
| Taneytown   | Carroll         | Facilities are adequate if the City Planning and Zoning Commission determines that all City and regional park facilities are adequate to provide recreational opportunities for new development, consulting with the appropriate departments and boards.   |
| Union Bridge  | Carroll         | The Planning Commission shall ensure adequate provisions for public facilities and improvements.   |

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